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# 1221 - DIRECTIVES

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## 1221 - DIRECTIVES

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"AD:FF"

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington 25, D. C.

August 24, 1949

Order No. 400

Effective as of the date of the commencement of operations at Reno, Nevada, the serial numbering in the District Land Office for the State of Nevada, now referred to as the Nevada Land and Survey Office, will begin with 01 preceded by the name of the State rather than the City in which the office ~~is situated~~.

Cases numbered before such effective date will retain the number and designation previously assigned to them.

(Sgd) Depue Falck

Acting Director

Distribution L-1
Washington (desk to desk)

61967

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO: X

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DISTRIBUTION
Manual

SEP 28 1949

Order No. 401

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

PART 45--CORRESPONDENCE
(Secs. 45.1 through 45.501)

All of Part 45--Correspondence is hereby rescinded.

Hereafter the Correspondence and Style Handbook issued by the Department of the Interior will be the official guide for the preparation and handling of correspondence by this Bureau. All pages pertaining to Part 45--Correspondence should be removed from the present Bureau of Land Management Manual.

**Associate** Director

Distribution:

L-1 Mailing List
Manual Holders, Washington

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DENVER, COLORADO
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DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

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Manual

September 28, 1949

Order No. 401

# MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 45--CORRESPONDENCE
(Secs. 45.1 through 45.501)

All of Part 45--Correspondence is hereby rescinded.

Hereafter the Correspondence and Style Handbook issued by the Department of the Interior will be the official guide for the preparation and handling of correspondence by this Bureau. All pages pertaining to Part 45--Correspondence should be removed from the present Bureau of Land Management Manual.

/s/ Roscoe E. Bell
Remove
Associate Director

Distribution:

L-1 Mailing List
Manual Holders, Washington

63687

March 3, 1849

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

OCT 17 1949

ORDER NO. 402

Collections received in the Washington Office shall be processed on Forms 4-1124 and 4-1125 as follows:

1. All correspondence opened in the Branch of Mail and Files and found to contain money will be handled as follows:

   (a) Remittances for copies of records, plats, etc., will be processed on Form 4-1124, a, b, c, Receipts and/or Notice of Refund, prepared in quadruplicate. The original Form 4-1124 (White), 4-1124a (Pink), Form 1124b (Blue), the remittances, and the remitter's letter will be forwarded to the Receiving Clerk. Form 4-1124c (Green) will be filed in the mail room in alphabetical order. The remitter's letter will be given the same number as the Form 1124 prepared therefor.

   (b) All other remittances will be listed on a sheet of paper in duplicate to be known as a "Money Blotter" which will be signed by the clerk opening the mail and delivered to the Chief of Mails and Files Branch, who will personally verify the amounts shown on the "Money Blotter," countersign it and forward the remittances, letters and both copies of the "Money Blotter" to the Receiving Clerk in the Branch of Budget and Finance. There will be listed also on the "Money Blotter" the inclusive numbers of Forms 4-1124 transmitted to the Receiving Clerk.

2. (a) The Receiving Clerk will check the "Money Blotter" against the remittances and if correct will sign the original "Money Blotter," return it to the Chief, Branch of Mail and Files and retain the duplicate copy for his records.

   The remittances listed on Form 4-1124 will be totaled and entered as a one line entry on Schedule of Collections, Standard Form 1044, showing the inclusive numbers of Form 4-1124 for credit to the current appropriation to which the cost of copying work is charged. Forms 4-1124 (White) will be attached to the original Standard Form 1044. An adding machine tape of the remittances will be attached to the bookkeeper's copy of Standard Form 1044. Form 1124a

will be filed in numerical order. Form 1124b will be attached to the remitter's letter and forwarded to the Patents Section for fulfilment of the order.

(b) All other remittances listed on the "Money Blotter" will be processed on Form 1114.

3. The Patents Section will ascertain the cost of the copies requested and will call for additional money only in the event the amount is one dollar or more. When correspondence with the remitter is necessary the name of the clerk to whom the letter is assigned will be inserted on Form 4-1124b. When the copies are ready for mailing to the remitter by the Patents Section, the cost of the order will be inserted on Form 1124b in the space provided, initialed by the clerk and sent to the Receiving Clerk. If no copies are furnished, a "0" (zero) will be inserted on the line "Amount Applied." The remitter's letter will be returned with the order, except letters requesting copies on open account which will be forwarded to the Receiving Clerk to support the charge against the account.

4. When Form 4-1124b is received from the Patents Section it will be processed by the Receiving Clerk as follows: Except upon request from the remitter within two years from the date that the copies were mailed, a refund will not be made when the balance remaining, after deducting the cost of the copies, is less than one dollar. When no copies are furnished the amount will be refunded. Whenever a refund is due, the clerk reviewing the item will surname Form 4-1124b in the space provided thereon. All refunds of excess remittances will be accomplished by the use of Voucher and Schedule of Refunds, Form 4-1125 prepared in quadruplicate. Form 4-1124a (Pink) "REMITTER'S COPY-TO-ACCOMPANY CHECK" filled in to show the amount applied and the amount for refund, will be attached to the original Voucher and Schedule of Refund, Form 4-1125. Forms 4-1124b on which no refund is made will be attached to and filed with Form 4-1124a in numerical order.

Marion Clawson

Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
AD:CRD

Oct. 26, 1949

Order No. 402

MANUAL OF THE
BUREAU OF LAND MANAGEMENT
PART 168--RETURNS
District Land Office Procedure--Continued
Serial Numbers and Serial Number Notations--Continued

The following section is added:

168.26 Initial papers, serial numbers. Each new application or other initial paper required in any entry, sale, lease, selection, location, etc., will be numbered at the time and in the order in which it is presented, provided it is accompanied by the proper remittance in form or amount required by law or regulation. Any application or other initial paper presented or filed and not accompanied by the proper amount required by law or regulation will not be numbered but will be returned to the applicant immediately with the amount received, together with a copy of the appropriate regulations. The following form letter may be reproduced for use in returning such applications.

Dear Sir:

> Your application of the type indicated in the caption hereof was not accompanied by a sufficient amount of money as required by the enclosed regulations and therefore cannot be considered.
>
> The papers received and the remittance are returned and upon receipt of an application with the required amount of money appropriate action will be taken.

Very truly yours,

Enclosures

Manager

This form letter may be used in returning all applications, initial papers, etc., when not accompanied by a sufficient amount of money. The type of case involved should be inserted in the caption and a copy retained and filed alphabetically for reference purposes.

The serial number given to an application, selection, etc., accompanied by the proper remittance as required by law or regulation

C—#01

does not mean that the same is allowed or approved or will be allowed or approved. It is merely an identification number by which the case will thereafter be identified. After the initial application or other paper has been numbered, all papers subsequently filed or issued in connection therewith must be given the same serial number.

Sections 168.27 through 168.30 are hereby revoked.

Marion Clawson

Director

RECEIVED
U.S. LAND OFFICE
DENVER, COLORADO
OCT 31 1949

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

Order No. [illegible]

October 25, 1949

The function of surveying public lands in the states embraced in Region VI, together with all personnel, [illegible], equipment and other facilities attached to this activity, is hereby transferred from Region VI to the Division of Cadastral Engineering in Washington.

This organization change is made in the interest of economy. The Chief, Division of Cadastral Engineering is hereby charged with the responsibility for supervision of surveying activities in all states east of the Mississippi, Minnesota, Iowa, Missouri, Arkansas and Louisiana, as well as for technical direction of the work.

Director

NOV 3 - 1949

DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

Order No. 404

PROCEDURE

ADJUDICATING APPLICATIONS FOR NONCOMPETITIVE OIL
AND GAS LEASES UNDER SECTION 17 OF THE ACT OF
FEBRUARY 25, 1920, AS AMENDED

Order No. 395 dated August 8, 1949, is hereby revoked, and Sub-paragraph (c) of paragraph 21 of the Procedure for Adjudicating Applications for non-competitive oil and gas leases under section 17 of the act of February 25, 1920, as amended, dated September 13, 1948, is amended to read as follows:

(c) No protest to lease issuance has been made; the lease forms in quintuplicate, or more copies if some other governmental agency in addition to the Geological Survey is interested, will be prepared by the Manager, and all of the copies accompanied by a bond form if a bond is required, will be transmitted to the applicant for execution. Where the local representative of the Geological Survey is satisfied to receive only the first sheet of an oil and gas lease in lieu of a complete copy, only three sets of lease forms may be transmitted to lease applicants for signature.

Marion Clawson

Director

[illegible]

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington 25, D. C.

Order No. 5

## AMENDMENT

## ADJUDICATING INSTRUCTIONS FOR NONCOMPETITIVE OIL AND GAS LEASES UNDER SECTION 17 OF THE ACT OF FEBRUARY 25, 1920, AS AMENDED

Order No. [illegible] dated [illegible], is hereby revoked, and subparagraph [illegible] of paragraph [illegible] of the Procedure for Adjudicating Applications for non-competitive oil and gas leases under Section 17 of the act of February 25, 1920, as amended, dated [illegible], is amended to read as follows:

(d) If approval to lease issuance has been made, the lease forms in quintuplicate, or more copies if any other governmental agency in addition to the Geological Survey is interested, will be prepared by the Manager, and all of the copies accompanied by a bond form if a bond is required, will be transmitted to the applicant for execution. Where the local representative of the Geological Survey is satisfied to receive only the first sheet of an oil and gas lease in lieu of a complete copy, only three sets of lease forms may be transmitted to lease applicants for signature.

Marion Clawson

Director

[illegible]

[illegible]

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington

Order No. 406

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

## PART 224 - TOWN SITES

OCT 31 1949

### GENERAL INSTRUCTIONS

Sec. 224.1 Reservation of public lands for town site purposes. Where a regional administrator is of the opinion that public land should be reserved for town site purposes, he should bring the matter to the attention of the Director. Such reservation is authorized by sec. 2380 of the Revised Statutes (43 U.S.C. 711) and it may be made by a public land order. Many reservations of this kind have been made during past years.

224.2 Town site surveys. Where public land is reserved for town site purposes, and the regional administrator is of the opinion that the subdivision and sale of the land for such purposes is in the public interest and will meet a local need, he will cause the land to be surveyed into lots, blocks, streets, alleys and public reserves, and a plat of such survey to be submitted to the Bureau of Land Management for approval.

224.3 Public and private sales of town lots, preemption proofs. Where public sales of town lots have already been made, and the sales closed, the unsold lots, if any, in the particular town sites, unless reserved or withdrawn, are subject to private entry for cash at the district land office, at the appraised prices. Before any private entry is allowed, by the managers, the regulations governing the particular sale, and the report of the sale, should be consulted. In some cases the lots have been reappraised at the conclusion of the sales, and where private entries are allowed, the lots must be paid for at the reappraised prices. In allowing private entries, the provisions of the regulations affecting lots in the particular town site must be observed.

The regional administrator, after approval of the town site plat by the Bureau of Land Management, may issue a notice for sale at public auction of the lots in the town site where, in his opinion,

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington

Order No. 406

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

## PART 224 - TOWN SITES

OCT 31 1949

## GENERAL INSTRUCTIONS

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The regional administrator, after approval of the town site plat by the Bureau of Land Management, may issue a notice for sale at public auction of the lots in the town site where, in his opinion, such a sale should be held. Every such notice must be published in the Federal Register and given such additional publicity as will result in adequate notice to the public. The notice for sale must specify the time and place for the sale, the terms and conditions under which the lots will be offered, and the mineral and other reservations to be made in the lot sales. Where a town site has been subdivided for disposal pursuant to R. S. 2382 to R. S. 2386, inclusive (43 U.S.C. 713-717), the notice for sale must also specify the terms and conditions under which each lot occupant may submit preemption proof for the lot occupied and for one additional lot on which he has substantial improvements. A schedule of prices should be supplied with the notice, showing the appraised prices, or the minimum prices, of the lots.

Sales may be held at the district land office, at the town site, or at such other place in the region as the regional administrator thinks will best serve the public interests.

The sales may be made for cash, or on the instalment plan, with or without provision for the payment of interest on the deferred instalments, in the discretion of the regional administrator, and, if interest is required, at such rate as he may fix. Where lots are sold for cash, the officer making the sale will issue town lot certificate form 4-198 in duplicate; where they are sold on the instalment plan, he will issue a non-transferable memorandum certificate of sale on form 4-014 in duplicate. The original certificates will be filed with the case records; the duplicates will be delivered to the purchasers. Where lots are sold on the instalment plan, the notice of sale should contain a suitable provision for forfeiture, for nonpayment.

Where a town lot in a State is sold at public or private sale, the purchaser is required to make a showing as to citizenship, as provided in 43 CFR 255.54. The requirement respecting citizenship of individuals is not applicable to the Territory of Alaska.

The notice of sale should contain a provision authorizing the officer conducting the sale to reject any and all bids, and, at the close of the sale, to reappraise any unsold lots as a basis for private entry. Reappraisement should be made if it is found that the amounts bid, or the appraised prices, are inadequate. Where lots are offered for sale on the instalment plan, the notice of sale should provide for their reappraisement at the sale prices, as a basis for private entries, in the event the purchases are canceled for nonpayment or otherwise.

Every notice of sale should contain a provision warning all persons against forming any combination or agreement which will prevent any lot from selling advantageously, or which will in any way hinder or prevent the sale, and stating that any person so offending will be prosecuted under 18 U.S.C. 1860.

Reports as to mineral or nonmineral character of the lots in particular town sites must be obtained by the regional administrator from the Geological Survey before public sales are authorized, and the regulations governing the reservation of certain classes of minerals (43 CFR, Part 102) must be followed. Where lots become subject to private entry, additional reports as to the mineral or nonmineral character thereof should be obtained by the manager before the private entries are allowed, where the former reports are more than one year old. All patents must contain a reservation of fissionable materials, pursuant to 43 CFR 102.43 (Circular No. 1620, August 9, 1946).

After every public sale, a report must be prepared and signed by the officer conducting the sale showing whether the sale was adjourned or closed, and, if closed, the facts as to the reappraisement of the lots as a basis for private entry, if such reappraisement is made. If the sale is adjourned, and not closed, the lots will be held for further offering at public sale. The report should also state the number of lots sold and the total purchase price received. A copy of the report should be kept in the district land office, and a copy should be supplied to the Bureau of Land Management.

224.4 Trustee town sites, United States, except Alaska. Where town site settlement was made on public land at a time when the land was subject to such settlement, an application to purchase the land may be made by a trustee for the use and benefit of the lot occupants, pursuant to 43 CFR 255.26 to 255.41, inclusive.

Where town site proof is submitted, under the sections mentioned, by the trustee for the lot occupants, the manager, before issuing cash certificate, will forward the proof to the regional administrator for consideration, and for field examination, if necessary.

224.5 Trustee town sites, Alaska. Public lands in Alaska occupied for town site purposes may be entered by the regional administrator, as trustee, for that purpose, pursuant to 43 CFR 80.1 to 80.17, inclusive.

The town site trustee is also authorized to take certain actions involving Indian possessions in trustee towns, and native towns, pursuant to 43 CFR secs. 80.18 to 80.27, inclusive.

224.6 Railroad town sites, Alaska. The regional administrator has been designated as superintendent of sales of railroad town sites in Alaska, and is authorized to issue notices for the sale of lots in such town sites, pursuant to 43 CFR 80.28 when, in his opinion, the public interests and local needs justify the sales. The notices of sales must conform to the instructions set forth in sec. 224.3 of this part.

224.7 Oklahoma town sites. The issuance of deeds for lots in Oklahoma town sites, to replace deeds which have been lost or destroyed, and not recorded, and other Oklahoma town site matters, will be handled by the Washington office.

224.8 Reclamation town sites. The sale of lots in reclamation town sites, and other reclamation town site matters under 43 CFR 255.42 to 255.47, inclusive, will be handled jointly by the Bureau of Reclamation and the appropriate regional administrator of this Bureau.

224.9 Town sites under special laws. Where Government town sites are affected by special laws, the provisions of those laws must be observed.

224.10 Approval for patenting. The certificate of purchase for a town lot or town site entry, when approved for patenting, must, together with all related papers, be assembled with a backing-sheet, form 4-220. A notation should be made on the final certificate showing the amount paid, and the date the payment required was "earned" and the balance, if any, returned. The approval for patenting must be noted on the backing-sheet in the space provided therefor.

224.11 Town site tract books. Each district land office must maintain a town site tract book for each Government town site in its district. Loose leaf book pages, form 4-600c, are available for this purpose. The facts as to all withdrawals affecting the lands in such town sites, reports as to the mineral or nonmineral character of the lands, notices of sale, reports on sales, lot appraisements and reappraisements, sales made, and other pertinent information, must be noted accurately on the town site tract books.

Oscar E Bell

Associate Director

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

"AD:CRB"

JAN 2 1950

[redacted]

Order No. 407

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

PART 72--FINAL CERTIFICATES

GENERAL INSTRUCTIONS

The first paragraph of section 72.1 of the Manual is amended to read as follows:

Sec. 72.1 Issuance of final certificates and patents. One copy only of final certificates issued by Managers will be prepared except in mineral cases when the certificate will be prepared in duplicate and the duplicate delivered to the claimants. In all cases where the preparation of the duplicate final certificate is dispensed with, the entryman will be informed that one has issued, that the entry has been approved for patenting, and that patent will be delivered to his address as shown by the records of the land office at the time the patent is received there for delivery.

Associate Director

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

November 30, 1949

Order No. 408

Pursuant to paragraph 45, of the Standardized Government Travel Regulations, as amended by Bureau of the Budget Circular No. A-7, June 29, 1949, all travel orders issued for travel to and from Alaska during the 1950 fiscal year are amended as follows:

> For travel by air involving areas for which different maximum per diem rates are prescribed, including stopovers involving less than six hours, a maximum rate of $6 is prescribed.

The $6 rate will apply on air travel to Alaska from the time of departure in the United States to the time of arrival in Alaska and vice versa. During the fractional one-fourth day period that different rates of per diem apply, the amount at each rate shall be computed to the nearest 1/24-th of a day. Periods of less than 30 minutes should be disregarded and periods of 30 minutes or more should be treated as a full hour.

Associate Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

December 21, 1949

Order No. 409

Following up Secretary's Order No. 2547 of December 12, 1949, closing the District Land Offices at Evanston and Buffalo, Wyoming and transferring and consolidating the business and necessary archives of those offices to the District Land Office at Cheyenne, it is hereby ordered that the Public Survey Office at Cheyenne shall be consolidated with the District Land Office at Cheyenne, effective January 6, 1950. The District Land Office at Cheyenne will hereafter be known as the:

U. S. Department of the Interior
Bureau of Land Management
Land and Survey Office
Cheyenne, Wyoming

The Manager of the Land and Survey Office at Cheyenne will be responsible for the functions heretofore performed by the Public Survey Office at Cheyenne, as well as the District Land Office functions. Transfer of personnel and records and physical changes necessary to effectuate this consolidation will be made as directed by the Regional Administrator, Region 3.

Marion Clawson

Director

Distribution:
L1
Washington

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

"AD:CRD"

JAN 13 1950

Order No. 410

## MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 48—DECISIONS

### WASHINGTON OFFICE PROCEDURE

Section 48.12 of the Bureau of Land Management Manual is amended by adding as paragraph three the following:

When a decision involves land in a state not having a ~~District~~ Land Office, the original thereof will be sent to the claimant and the endorsed copy retained in the record. If more than one application is involved the original of the decision will be sent to the applicant in the lowest serial number and copies sent to the others. The endorsed copy of the decision will be filed in the lowest serial case and copies filed with all other cases involved.

Roscoe E Bell

Associate Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D.C.

JAN 24 1950

Order No. 411

## AUTHORITY OF REGIONAL ADMINISTRATORS TO ACT IN TRESPASS CASES

Subparagraph 83 of Order No. 363 of January 5, 1949 is amended by deleting the last sentence thereof. The subparagraph as amended reads as follows:

> (83) Determine the liability for trespass on the public lands in their respective regions, in accordance with the rules set forth in 43 CFR, Part 288, and the applicable court and departmental decisions, and demand and accept payment of the amount determined to be due by reason of such trespass.

The order of the Director of Grazing of December 20, 1940 (M-71, G-Trespass-Procedure) is hereby revoked so far as it limits the authority of the regional administrators in grazing trespass cases to the acceptance of propositions of settlement of $500 or less.

Roscoe E. Bell

Associate Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AMP

DISTRIBUTION
Manual Revision

Order No. 412

JAN 30 1950

MANUAL OF THE
BUREAU OF LAND MANAGEMENT
PART 39--CONTRACTS AND LEASES
GENERAL--Continued

Section 39.5 of the Bureau of Land Management Manual is hereby amended by adding as paragraph four the following:

The originals of the above leases, contracts, etc., which are required by the Comptroller General will be routed to the Accounts Section for delivery to the General Accounting Office site auditors.

Associate Director

C-206-1/30/50
Wood - 2/3/

*1849* A Century of Conservation *1949*

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
55807
"AD:FF"

FEB 6 - 1950

Order No. 413

## MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 12--ALASKA

### PRACTICE

A new section is added under the heading of "Practice" as follows:

12.401 Time allowed for appeals or other action. In the preparation of decisions relating to Alaska the person affected by the decision will be allowed 30 days (instead of 60 days as heretofore) within which to appeal or to take other appropriate action. Where warranted by the circumstances, however, a period longer than 30 days may be allowed.

This rule will be followed by personnel in Alaska and in the Washington office.

Associate Director

C-207-

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AMP

DISTRIBUTION
Manual
Bureau

Order No. 414

FEB 23 1950

MANUAL OF THE
BUREAU OF LAND MANAGEMENT
PART 163--REGIONAL ADMINISTRATORS
AUTHORITY AND RESPONSIBILITY

A new section is added, as follows:

163.5 Allowance in kind. Each regional administrator is authorized, with respect to matters arising in his region, to exercise any of the powers granted to the Director by departmental Order No. 2545 of November 28, 1949. This subdelegation is made pursuant to section 22 of that order.

Marion Clawson

Director

Revoked
4/30/53
See order No 516

C-308

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
55517 "DL:CGF"

ORDER NO. 415 MAR 1 - 1950

Subject: Land and Survey Offices

The land offices and survey offices in the States shown below have been combined and will be operated as consolidated offices known as "land and survey offices" in accordance with Order of the Secretary of the Interior No. 2549 of December 16, 1949.

| State | Region | Address | |
|---|---|---|---|
| Idaho | I | Box 2237 | Boise |
| Nevada | II | 322 Post Office Bldg. | Reno |
| Wyoming | III | Federal Building | Cheyenne |
| Utah | IV | 313 Federal Building | Salt Lake City |
| Arizona | V | 100 U.S. Court House | Phoenix |
| New Mexico | V | Post Office Building | Santa Fe |

All other land offices and survey offices will be operated as separate units until it is otherwise ordered.

This order supersedes Order No. 409 of December 21, 1949.

Marion Clawson

Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
A
COMMUNICATIONS
Files

March 1, 1950

ORDER No. 416

A files committee composed of the following listed employees is hereby established:

Amy H. Snyder, Chairman
Mary McNickle
Helen M. Moriarty
Edith Walker
Jean Donnelly
Virginia Early
Helen Stecker
Emma Wainwright
Dora M. Shanaberger

Duties of the committee are to study and recommend changes, including deletions, modifications, or additions to the system as outlined. These will include those submitted from the regional files committees. The recommendations will then be submitted to the Chief, Division of Administration, for approval. This instruction supersedes the statement made on page 1 of the filing system that recommendations for changes will have the approval of the Director or Assistant Director.

The membership of the Files Committee includes one representative from each of the major Divisions in the Washington office, and it shall be the responsibility of these members to supervise all filing work done in their Divisions, as distinguished from the case files which are filed in the central mail room.

Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
DL:CGF

MAR 31 1950

ORDER NO. 417

Subject: Delegation of authority under Alaska Public Works Act

The Regional Administrator, Region VII is authorized, in his discretion and subject to such conditions as he may prescribe, to transfer in accordance with section 7 of the act of August 24, 1949 (63 Stat. 629, 48 U.S.C. 486 e), any interest in public land in Alaska, for any public works project which has been approved under section 4 of the act.

Roscoe E Bell
Associate Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AMP

ORDERS
BUREAU
Land and Survey Office

Order No. 418 MAY 31 1950

Order No. 415, consolidating certain Land Offices and Survey Offices in Regions I, II, III, IV, and V, is amended to include the following:

| State | Region | Address |
|---|---|---|
| Washington | I | 209 Federal Building, Spokane |

Marion Clawson

Director

Distribution:

L-1 Mailing List

Washington, D.C., Division and Branch Chiefs

Region VI - 6 copies

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

"AD:RLW"

JUN 30 1950

Order No. 419

## MANUAL OF THE BUREAU OF LAND MANAGEMENT

The following new text is added:

## PART 3--ACCOUNTS

### PAYMENT OF RENTAL ON LEASES AND PERMITS FOR ACQUIRED LAND

3.925 Payment and collection of rentals on mineral leases and permits for certain acquired lands. Decisions adjudicating applications for mineral leases and permits for acquired lands under 43 CFR 200.31 to 200.36 inclusive, filed in the office of the Bureau of Land Management, will require the applicants to pay the advance rentals in the office of the regional administrator in whose district the land involved is located. In order that any payment may be properly identified, two copies of the decision will be sent to the regional administrator. Below the signature to the decision will appear the following:

Amount paid date endorsement

The employee responsible for receipt of the money will insert the information, and will surname one copy as to the endorsement. That copy will be sent to the Bureau of Land Management, Washington 25, D.C. for record purposes.

Marion Clawson

Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AF:JPB
ADMINISTRATION
Travel and Transportation

JUL 18 1950

ORDER NO. 420

Officials of the Bureau of Land Management authorized to issue travel orders shall authorize a per diem rate in lieu of subsistence expenses of $6.00 to District Advisory Board members, while away from home or regular place of business on official business of the Bureau, and a mileage rate, computed in accordance with the Standardized Government Travel Regulations, of $.05 for local or other official travel by privately-owned automobile.

Marion Clawson

Director

1849 A Century of Conservation 1949

[illegible]

July 12, 1950

[illegible]

# DECISIONS OF WASHINGTON OFFICE IN CERTAIN CASES TO BE SENT DIRECT TO APPLICANTS

# COPIES TO BE SENT APPROPRIATE LAND OFFICES

Beginning August 1, 1950, decisions rendered in Washington on undecentralized cases will be mailed direct to the applicants and copies forwarded to the appropriate land offices for notation on the serial registers except in those instances where action in the land office is required prior to transmittal of the decision to the party, and decisions requiring money payments. The Managers of the land office will immediately advise the Washington office of all notices hereafter received of [illegible]

Since it has not been the practice in the past to notify the Washington office of changes of addresses there may be some instances when the decisions mailed direct to the applicants will be returned by the post office marked "unclaimed". In such cases requests will be made of the appropriate land offices to furnish the latest addresses according to the serial registers. If the addresses differ the decisions will be remailed to the latest known addresses.

If no response is made within the time allowed the cases will be closed on the records of the Washington office and the appropriate land offices so notified at least once each month by memorandum listing the cases closed by serial numbers and dates [illegible] notice will be sent to the applicant of such action. When the [illegible]

[illegible] that the evidence required or any response to the decision should [illegible]

nsible for the preparation of the envelope to be used for stered mail and also for the typing on a registry return eipt card the office, division, branch and the initials of the rector. Both the return receipt card and envelope properly pared will be attached to the decision when submitted for [illegible]

[illegible]

ce. All such papers should be immediately transmitted to the ashington office for assembly with the proper case. This is ssential since the return receipt card will be with the record [illegible]

Director

stribution
ngton desk to desk
List

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AD:CRB
ADMINISTRATION
Manual
Revision

Order No. 422

MAY 31 1950

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

PART 90--MAIL

REGISTERED MAIL

The first paragraph of section 90.13 of the Manual is amended to read as follows:

Sec. 90.13 Endorsements to be made on registered letters; procedure where post office does not hold letters for the required period. Letters which are registered by the Bureau of Land Management or the land offices and land and survey offices shall have endorsed upon the envelopes a request for return receipt, or, if delivered or unclaimed, that the letter be returned only after 32 days (or after such other period as the request may specify). In all cases, two days will be added to the period allowed for response to cover the day of receipt and the day the mail is returned by the post office as unclaimed.

Marion Clawson

Director

Distribution L-1

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
AD:CRB

JUL 26 1950

Order No. 423

# MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 156--RECORDS

### INSPECTION OF RECORDS BY THE PUBLIC

Part 156 of the Bureau of Land Management Manual is amended by adding the following paragraph to section 156.7:

It is recognized that oil and gas leases and applications for such leases are of interest to persons other than the applicants and lessees. With respect to applications, the provision of the law giving the first applicant a preference right entitles a proposed applicant to determine whether an application has already been filed for the land. With respect to leases, any person desiring to obtain an assignment of a lease should be entitled to determine that the lessee has a valid right to assign. Accordingly, where a legitimate interest is shown with respect to oil and gas leases or with respect to applications after they have been noted on the serial register, inspection of records may be permitted.

Marion Clawson

Director

Distribution
B.L.M. and L-1

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

July 31, 1950

Order No. 424

## MANUAL OF THE
## BUREAU OF LAND MANAGEMENT

### PART 72--FINAL CERTIFICATES
### GENERAL INSTRUCTIONS

Sections 72.1 and 72.2 are amended to read:

Sec. 72.1 Issuance of final certificates and patents. Effective August 1, 1950, one copy only of final certificates will be prepared. The entryman will be notified by the local office or the Washington office, whichever prepared the certificate that a final certificate has issued, that the entry has been approved for patenting, and that the patent will be delivered to his address as shown by the records of the land office at the time the patent is received there for delivery. The local recorder of deeds will also be notified that a final certificate has been issued.

Patents embracing lands in Minnesota, Iowa, Missouri, Arkansas, Louisiana, or in any State east thereof, will be forwarded directly to the claimants from the Washington office of the Bureau of Land Management. Patents for lands in North Dakota, South Dakota, Nebraska, and Kansas, will be forwarded to the claimants by the Regional Administrator, Region III. Patents for lands in Oklahoma will be forwarded to the claimants by the Regional Administrator, Region V. Patents for lands in other areas will be forwarded to the claimants by the Land Office involved.

Sec. 72.2 Duplicate final certificates, recall and correction. Where correction is made on a final certificate of which a duplicate has been issued, it is important that the same correction be made on the duplicate. Accordingly in such cases, the duplicate must be recalled and corrected.

Marion Clawson

Director

Jolley
Horning
J A Burke
Anderson
Higgins

UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Washington 25, D. C.

AUG 2 - 1950

ORDER NO. 425

Participants in the Squaw Butte Field Conference, to be held in September, 1950, will receive the normal per diem rates for travel periods from their headquarters to the conference and return. However, during attendance at Squaw Butte it has been administratively determined that per diem at the rate of $6.00 will be allowed in lieu of subsistence and no deduction will be made for such quarters as are provided.

A private mess will be conducted at the Station for the duration of the meeting. Payment should be made to the Conference Treasurer upon arrival.

Participants will be quartered in buildings at the station or in tents provided by the Government, but each participant must furnish his own bedroll. Station Superintendent Art Sawyer advises that frost will be fairly heavy before the end of the conference and the participants are urged to bring two extra blankets along with them.

Travel orders shall clearly indicate the above per diem rate and conditions in order to avoid exceptions or deductions from per diem vouchers as the result of audit.

Marion Clawson

Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
57122 ADL:ML

Order No. 426

AUG 3 - 1950

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

PART 57--DOCUMENTS

FEDERAL REGISTER DOCUMENTS

PROCLAMATIONS, EXECUTIVE ORDERS, PUBLIC LAND ORDERS, ETC.

Part 57 of the Bureau of Land Management Manual is amended by adding the following section:

57.124 Power Site Classification Orders by Geological Survey; procedure. The Geological Survey has agreed to adopt the following practice:

When an order classifying lands as power sites is signed by the Director, Geological Survey, one copy will be sent to the Bureau of Land Management, and one copy to the Manager of each land office within whose district the lands affected are situated.

The Manager upon receipt of the order will make notations thereof on his records and acknowledge its receipt to the Director, Bureau of Land Management.

Marion Clawson

Director

C-212

[illegible]

[illegible]

PART 2—[illegible]

[illegible]

Section 2.71 is amended to read:

Sec. 2.71 Reclamation and irrigation. Reclamation and desert land entries, State irrigation districts and Nevada underground water permits and entries, [illegible] 43 CFR, [illegible] inclusive; also, entries, sales and exchanges of lands in reclamation projects, [illegible] Bureau of Reclamation, [illegible] to the extent that action by the [illegible] is required.

/s/ [illegible]

Director

Approved: Jan 2, 1953

/s/ Oscar L. Chapman

Secretary of the Interior

[illegible]

| | |
|---|---|
| [illegible] | 1 (each) |
| [illegible] | 10 |
| [illegible] | 10 |
| | 27 |

[Order 427, Amdt. [illegible]]

REGIONAL ADMINISTRATORS; DELEGATION OF AUTHORITY WITH RESPECT TO [illegible] MINERAL MATTERS, DESERT RANGE MANAGEMENT AND TIMBER

Section 2.71 is amended to read:

Sec. 2.71 *Reclamation and irrigation.* Reclamation and desert land entries, State irrigation districts and Nevada underground water permits and entries, pursuant to 43 CFR, Parts [illegible] inclusive; also, entries, sales and exchanges of lands in reclamation projects, pursuant to 43 CFR, Chapter II, Bureau of Reclamation, or [illegible] of the Secretary of the Interior, to the extent that action by the Bureau of Land Management is required.

MARION CLAWSON,
*Director.*

Approved: January 2, 1953.

OSCAR L. CHAPMAN,
*Secretary of the Interior.*

[F. R. Doc. 53-145; Filed, Jan. 7, 1953; 8:45 a.m.]

FR Jan 8, 1953
Page 161

## DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS

August 16, 1950

ORDER NO. 427
(with Amendments 1 & 2)

### PART 1—AUTHORITY IN GENERAL

Sec.
1.1 Functions of the regional administrators and the acting regional administrators

1.2 Limitations.

1.4 Authority to designate employees to perform the functions of acting managers.

1.5 Redelegation.

1.6 Oaths

### PART 2—AUTHORITY IN SPECIFIED MATTERS

#### GENERAL

2.2 Bonds.

2.3 Cancellations or surrenders of contracts, leases, and permits.

2.4 Contributions and refunds.

2.5 Copies of records.

2.7 Fire-protection contracts.

2.8 Gifts.

2.9 Government contests.

#### GENERAL

Sec.
2.11 Repayment.

2.13 Roads.

2.14 Surveys.

2.15 Trespass

#### CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS.

2.21 Classification of lands.

2.22 Orders of withdrawal and restoration.

#### MINERAL

2.31 Oil and gas leases.

2.32 Coal permits and licenses, and coal leases based on discoveries under permits.

2.45 Mining claims.

#### NONMINERAL MATTERS, EXCEPT RANGE MANAGEMENT AND TIMBER

2.51 Airports and air navigation facilities.

2.52 Alaska, Fur farms

2.53 Alaska, Homesites or headquarters.

Order No. 427, Published in 15 F.R. 5639, August 23, 1950, 15 F.R. 5853, August 30, 1950, and 15 F.R. 6551, September 28, 1950.
Order 427, Amendment 1, Published in 15 F.R. 6997, October 19, 1950.
Order 427, Amendment 2, Published in 16 F.R. 6804, July 14, 1951.

## DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS--Continued

### PART 2--AUTHORITY IN SPECIFIED MATTERS

### NONMINERAL MATTERS, EXCEPT RANGE MANAGEMENT AND TIMBER

Sec.
2.54 Alaska Housing Authority.
2.55 Alaska, Matanuska Valley
2.56 Alaska public works.
2.57 Alaska, Trade and manufacturing sites.
2.61 Cemetery sites.
2.62 Color-of-title and riparian claims.
2.63 Exchanges.
2.64 Homesteads.
2.65 Indian allotments.
2.66 Material other than timber.
2.67 Mineral or medicinal springs.
2.68 Motion or sound pictures.
2.70 Public sales.
2.71 Reclamation and irrigation.
2.72 Rights-of-way.
2.73 Small tracts.
2.74 Special land-use permits.
2.77 Surface rights
2.78 Town sites .
2.79 Water wells.

### RANGE MANAGEMENT

Sec.
2.91 Grazing district administration.
2.92 Grazing leases, etc.
2.93 Appropriation of water.
2.94 Soil and moisture conservation.
2.95 Controlled brush burning.

### TIMBER

2.121 Disposition of timber.
2.122 Hearings in connection with sustained-yield forest units.
2.123 Cutting of timber on certain mining claims in Oregon.
2,124 Timber patents.

### PART 3--APPEALS

3.1 Right of appeal.

### PART 4--EFFECT ON PRIOR ORDERS

4.1 Revocations.
4.2 Saving clause.

## DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS—Continued

### PART 1—AUTHORITY IN GENERAL

Sec. 1.1 Functions of the regional administrators and the acting regional administrators. (a) Pursuant to the authority contained in Order No. 2583 of August 16, 1950, of the Secretary of the Interior, the regional administrators are hereby authorized to perform, in accordance with the existing policies of this Department, the functions of the Director, Bureau of Land Management, in their respective regions, as provided in Part 2 of this order. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any regional administrator affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

(b) The regional administrators may act for the Director in accordance with the applicable regulations and procedures in the classes of matters enumerated in this order, with respect to lands in their respective regions in any State in which there is no land office. Matters which are required by law or regulation to be filed only in a land office shall, with respect to such lands, be filed in the Bureau of Land Management, Washington 25, D. C. which will furnish the appropriate regional administrator with the current tract book status.

(c) Any regional administrator may, by written order, authorize any chief of division in his region, or the regional counsel for that region, to perform the functions of the regional administrator, in case of the death, resignation, absence, or sickness, of the regional administrator. A copy of each such order shall be sent to the Director. No other employee may be

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS—Continued

designated by the regional administrator to serve as acting regional administrator, except with the prior approval of the Director.

(d) In the absence of an order of the regional administrator, the chief of division in the region or the regional counsel, who is the senior officer in his grade in point of time of service in that grade will perform the functions of the regional administrator in case of the death, resignation, absence, or sickness, of the regional administrator; and in the event the employee who is the senior officer in the grade, as indicated, is not available, the functions of the regional administrator, under the conditions mentioned will be performed by the employee who is the next senior officer in the grade.

(e) Each employee who serves as acting regional administrator shall prepare a memorandum to be kept in the regional office showing the date and hour of the commencement and termination of each period of his service in that capacity. (B.L.M. Order 427, Amendment No. 2, July 10, 1951).

Sec. 1.2 Limitations. In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise; or

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS—Continued

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

Sec. 1.4 Authority to designate employees to perform the functions of acting managers. (c) The regional administrator of any region may authorize any qualified employee of the Bureau of Land Management in his region to perform the functions of the manager of a district land and survey office in his region in case of the death, resignation, absence, or sickness of the manager. (B.L.M. Order 427, Amd't. No. 2, July 10, 1951).

(d) An employee who is authorized to perform the functions of the manager shall sign documents and other papers as "Acting Manager." No employee, however, shall perform such functions until he has filed a bond in such penal sum as may be fixed and the bond has been accepted. Each employee who serves in this capacity shall by memorandum advise the regional administrator of the beginning and termination of the period of the service. (B.L.M. Order 427, Amendment No. 2, July 10, 1951).

Sec. 1.5 Redelegation. (a) Each regional administrator may redelegate or authorize the redelegation of any authority vested in him by this order to any qualified employee in his region, except as to the authority to appoint acting regional administrators.

(b) Any order of redelegation or authorization pursuant to this section must be approved (by the Secretary of the Interior) and published in the Federal Register.

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS—Continued

Sec. 1.6 Oaths. The regional administrator for each region may authorize any employee of his region who has been designated by him to make investigations of public land matters to administer any oath, affirmation, affidavit, or deposition provided for under the act of October 14, 1940 (5 U.S.C. 498), whenever necessary in the performance of such employee's official duties. (B.L.M. Order 427, Amendment No. 1, October 13, 1950).

## PART 2—AUTHORITY IN SPECIFIED MATTERS

The regional administrators, subject to the provisions of Part 1 of this order, are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

### GENERAL

Sec. 2.2 Bonds. Bonds filed in connection with matters pertaining to the public lands or the resources thereof, or other lands or resources under the jurisdiction of the Bureau of Land Management where the regional administrator has authority under any section of this order to act in such matters.

Sec. 2.3 Cancellations or surrenders of contracts, leases, and permits. Partial or complete cancellations or surrenders of contracts, leases, and permits of the classes which may be acted upon by the regional administrators.

Sec. 2.4 Contributions and refunds. Accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U.S.C. sec. 315h).

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS—Continued

Sec. 2.5 Copies of records. Copies of official records, pursuant to 43 CFR, Parts 2 and 240.

Sec. 2.7 Fire-protection contracts. Contracts with State, county, municipal and private fire-control organizations for the protection from fire (prevention, presuppression, and suppression) of the public domain, including the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon.

Sec. 2.8 Gifts. Accept on behalf of the United States any lands within or without a grazing district as a gift, where such action will promote the purpose of the district or facilitate the administration of the public lands, pursuant to section 8a of the Taylor Grazing Act, as amended (43 U.S.C. sec. 315g).

Sec. 2.9 Government contests. The initiation of Government contests against claims asserted to public lands, and all necessary actions involving the prosecution of such contests.

Sec. 2.11 Repayment. Applications for repayment under 43 CFR, Part 217.

Sec. 2.13 Roads. Matters involving the acquisition of rights-of-way for access roads on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, and of existing connecting roads adjacent to such lands, including purchases after clearance with the Department of Justice but not including recommendations to the Attorney General for condemnation proceedings. (B.L.M. Order 427, Amendment No. 2, July 10, 1951).

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS--Continued

Sec. 2.14 Surveys. (a) Appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U.S.C. sec. 39) with authority to execute mineral surveys within all States of the region in which appointed, and in adjoining States, appointments of deputy surveyors for special surveys in Alaska pursuant to 43 CFR 61.14, 64.5, 65.21, and 81.8, and the approval and acceptance of their bonds; preparation of supplemental plats for acceptance by the Director; initiation of action in all classes of survey and resurvey of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys, and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The preparation and publication in the Federal Register of notices of the official filing of approved plats of survey and resurvey.

Sec. 2.15 Trespass. Determination of liability and acceptance of payment of damages for trespass on the public lands, and the disposal of resources recovered in trespass cases for not less than the appraised value thereof; also recommendations to the United States Attorney for (a) the institution of suits arising out of trespasses, where the money judgment sought is not in excess of $1,000, and (b) the compromise of such suits where the amount is not in excess of $500.

## CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

Sec. 2.21 Classification of lands. The classification of public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U.S.C. sec. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

Sec. 2.22 Orders of withdrawal and restoration. (a) Issue orders of the classes listed below withdrawing or reserving public lands, or restoring such lands from withdrawal or reservation, based on the following statutory powers of the Secretary:

(1) Stock-driveways, authorized by section 10 of the act of December 29, 1916, as amended (43 U.S.C. sec. 300);

(2) Air-navigation facilities, under section 4 of the act of May 24, 1928 (49 U.S.C. sec. 214);

(3) Waiver of the restrictions as to length of claims and restoration of reserved shore spaces in Alaska, under the act of June 5, 1920 (48 U.S.C. sec. 372);

(4) Restorations under section 24 of the Federal Power Act, as amended (16 U.S.C. sec. 818);

(5) Opening reclamation lands to location and entry under the general mining laws, in accordance with the act of April 23, 1932 (43 U.S.C. sec. 154); and

(6) Opening lands acquired by exchanges, after acceptance of title. (Item 6 added by B.L.M. Order 427, Amd't. 2, July 10, 1951).

(c) All orders issued pursuant to the authority contained in this section shall conform to such procedures as have been or may be prescribed by law, or by the Secretary of the Interior, with respect to public notice, and shall be submitted to the Division of the Federal Register, National Archives and Records Service, General Services Administration for filing and publication.

## MINERAL

Sec. 2.31 Oil and gas leases. (a) Oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U.S.C. sec. 226), as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) Oil and gas leases under the act of August 7, 1947 (30 U.S.C. Supp. III, secs. 351-359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a).

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

Sec. 2.32 Coal permits and licenses, and coal leases based on discoveries under permits. (a) Coal prospecting permits and licenses

under the act of February 25, 1920 (30 U.S.C. secs. 201, 202-208), and coal prospecting permits and coal free-use permits, in Alaska, under the act of October 20, 1914, as amended (48 U.S.C. secs. 432-445, 446-452).

(b) Coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

Sec. 2.45 Mining claims. Mining claim matters under 43 CFR, Parts 185 and 69, except the approval of entries for patenting.

## NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

Sec. 2.51 Airports and air navigation facilities. (a) Leases of public lands for public airports and permits for air navigation facilities under the act of May 24, 1928 (49 U.S.C. sec. 211-214). (B.L.M. Order 427, Amendment No. 2, July 10, 1951).

(b) All actions under the Federal Airport Act (49 U.S.C. sec. 1101), up to the issuance of patents. (B.L.M.Order 427, Amdt. 2, July 10, 1951).

Sec. 2.52 Alaska, Fur farms. Leases of public lands in Alaska for fur farms, under the act of July 3, 1926 (48 U.S.C. secs. 360, 361).

Sec. 2.53 Alaska, Homesites or headquarters. Homesites or headquarters in Alaska, pursuant to 43 CFR, Part 64.

Sec. 2.54 Alaska Housing Authority. Transfer to the Alaska Housing Authority of lands above high water mark and under the jurisdiction of the Department of the Interior, pursuant to section 6 of the Alaska Housing Act of April 23, 1949 (48 U.S.C. sec. 484c).

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS--Continued

Sec. 2.55 Alaska, Matanuska Valley. Disposal of lands in the Matanuska Valley, Alaska, under the act of October 17, 1940 (48 U.S.C. sec. 353 Note).

Sec. 2.56 Alaska public works. Transfers in accordance with section 7 of the act of August 24, 1949 (48 U.S.C. sec. 486e), of any interest in public lands in Alaska for any public works project which has been approved under section 4 of the act.

Sec. 2.57 Alaska, Trade and manufacturing sites. Trade and manufacturing sites in Alaska, pursuant to 43 CFR, Part 81.

Sec. 2.61 Cemetery sites. Cemetery sites, including such sites in Alaska pursuant to 43 CFR, Parts 72 and 253.

Sec. 2.62 Color-of-title and riparian claims. Color-of-title and riparian claims, under 43 CFR, Parts 140 and 141.

Sec. 2.63 Exchanges. Exchanges under 43 CFR, Part 146, and sections 149.35 to 149.43, inclusive, and under Part 115, where the value of the selected lands does not exceed $50,000; also exchanges under section 2 of the act of August 13, 1949 (63 Stat. 604).

Sec. 2.64 Homesteads. Homesteads, including homesteads in Alaska, pursuant to 43 CFR, Parts 166 to 170, inclusive, and 65 and 66.

Sec. 2.65 Indian allotments. Indian allotments, including such allotments in Alaska, pursuant to 43 CFR, Parts 176 and 67.

Sec. 2.66 Material other than timber. Sale of materials other than timber of an appraised value not to exceed $20,000, and the free use of materials other than timber, under 43 CFR, Part 259.

Sec. 2.67 Mineral or medicinal springs. Leases of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U.S.C. sec. 971).

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS--Continued

Sec. 2.68 Motion or sound pictures. Permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR, Part 5.

Sec. 2.70 Public sales. Public sales pursuant to 43 CFR, Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior. (B.L.M. Order 427, Amendment No. 2, July 10, 1951).

Sec. 2.71 Reclamation and irrigation. Reclamation and desert-land entries, State irrigation districts and Nevada underground-water permits and entries, pursuant to 43 CFR, Parts 230 to 234 inclusive.

Sec. 2.72 Rights-of-way. (a) Right-of-way permits and easements over public and acquired lands, including revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and over reservations other than Indian reservations, when authorized by law.

(b) Approval of construction in advance of the issuance of a permit or the granting of an easement.

(c) Actions involving lands within National parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS--Continued

Sec. 2.73 Small tracts. Small tracts, under the act of June 1, 1938 (43 U.S.C. sec. 682a), as amended.

Sec. 2.74 Special land-use permits. (a) Special land-use permits for public lands, pursuant to 43 CFR, Part 258.

(b) Special land-use permits for revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, pursuant to 43 CFR, sec. 115.150.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR, Part 258.

(d) Permits to use areas below the high watermark of navigable waters in Alaska for occupancy purposes, under the principles embodied in 43 CFR, Part 258, subject to rules, regulations, and requirements of the Department of the Army respecting the navigation of such streams.

(e) Landing and wharf permits on reserved shore space in Alaska, pursuant to 43 CFR, Part 68.

(f) Every such permit issued to a Federal agency or to a State agency or political subdivision shall be restricted to the smallest area needed for the proposed use. Not more than 50,000 acres may be included in such a permit, and no such permit may be issued under this authority where a withdrawal of a class which the regional administrators are not authorized to make is requested.

Sec. 2.77 Surface rights. Nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any

leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR, Parts 102 and 66.

Sec. 2.78 Town sites. Lots in Government town sites, and other town-site matters when authorized by law (reclamation town-site matters to be handled jointly witH the Director, Bureau of Reclamation, pursuant to 43 CFR, secs. 255.42 to 255.45 inclusive, and sec. 255.47), except the issuance of orders withdrawing public lands for town-site purposes, and Oklahoma town-site matters under 43 CFR, secs. 255.49 to 255.51 inclusive.

Sec. 2.79 Water wells. Water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U.S.C. sec. 229a), and 30 CFR, sec. 241.6.

## RANGE MANAGEMENT

Sec. 2.91 Grazing district administration. Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U.S.C. sec. 315 *et seq.*, 16 U.S.C. sec. 715i), and 43 CFR, Parts 161, 163, and 165, as follows:

(a) Licenses or permits to graze or trail livestock in grazing districts.

(b) Cooperative agreements under:

- (1) section 2 of the act (43 U.S.C. sec. 315a) with respect to erosion and flood control, and range studies and experiments;
- (2) section 9 of the act (43 U.S.C. sec. 315h) with associations or State agencies for the conservation or propagation of wildlife; and

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS--Continued

(3) section 12 of the act (43 U.S.C. sec. 315k) with any department of the Government to coordinate range administration.

(c) Permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The expenditure of funds appropriated by the Congress, or contributed by individuals, associations, advisory boards, or others, for the construction, purchase or maintenance of range improvements.

(e) Leases under the Pierce Act (43 U.S.C. secs. 315m-1 to 315m-4 inclusive).

(f) Require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 18, 1942 (43 U.S.C. sec. 315o-2), and make payments in connection therewith as authorized by that act.

(B.L.M. Order 427, Amendment No. 2, July 10, 1951).

Sec. 2.92 Grazing leases, etc. (a) Grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U.S.C. sec. 315m), and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

(b) Grazing leases of the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, and crossing permits for such lands, in accordance with 43 CFR, Part 115.

(c) Grazing leases of public lands in Alaska, under the act of March 4, 1927 (43 U.S.C. secs. 471, 471a- 471c).

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS--Continued

Sec. 2.93 Appropriation of water. Execution and forwarding to the proper State office of informational notices of the appropriation of water on the public lands, and applications under State laws to appropriate water on other lands under the administration of the Bureau of Land Management, where required in connection with stockwatering projects, and procurement of easements or rights-of-way upon or over private lands where improvements are erected. (B.L.M. Order 427, Amendment No. 2, July 10, 1951).

Sec. 2.94 Soil and moisture conservation. Soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U.S.C. sec. 590a, et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

Sec. 2.95 Controlled brush burning. Issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, in accordance with plans and specifications approved by the Director.

## TIMBER

Sec. 2.121 Disposition of timber. (a) Sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management, including the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon.

(b) Sales of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

Sec. 2.122 Hearing in connection with sustained-yield forest units. Scheduling and holding of public hearings on master forest units and their

DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRAT...--Continued

ppurtenant marketing areas, and on sustained-yield forest units and cooperative agreements for sustained-yield forest units comprising revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and lands in private ownership, or controlled by other public agencies under authority of the act of August 28, 1937 (50 Stat. 874), and 16 U.S.C. secs. 583, 583a-583i. The notice may designate any qualified employee in the region to hold the hearing.

Sec. 2.123 Cutting of timber on certain mining claims in Oregon. Applications from owners of mining claims located since August 28, 1937, on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, to cut and use so much of the timber on the mining claims as is necessary in the development and operation of he mines, until such time as the timber is otherwise disposed of by the United States, pursuant to the act of April 8, 1948 (62 Stat. 162).

Sec. 2.124 Timber patents. Extension of time in which to cut timber under timber patents on the revested and reconveyed land in Oregon, under the act of May 19, 1930 (46 Stat. 369), and the termination of rights under timber patents under the act of June 9, 1916 (39 Stat. 218).

## PART 3--APPEALS

Sec. 3.1 Right of appeal. Any person aggrieved by the action of any regional administrator may appeal to the Director, Bureau of Land Management, and from his decision to the Secretary of the Interior, pursuant to the Rules of Practice (43 CFR, Part 221).

## PART 4--EFFECT ON PRIOR ORDERS

Sec. 4.1 Revocations. Orders Nos. 274, 295, 301, 319, 331, 336, 337, 345, 346, 348, 355, 363, 370, 411, and 417 are hereby revoked,

to the extent that those orders authorized the regional administrators to perform certain functions relating to the public lands.

Sec. 4.2 Saving Clause. Subdelegations of authority to the managers of the district land offices, and to any employees other than the regional administrators which have heretofore been made, and which are in force on the effective date of this order, shall remain in force until revoked or superceded by delegations made under this order.

(Sgd.) Marion Clawson

Director

Approved: August 16, 1950

(Sgd.) Oscar L. Chapman,

Secretary of the Interior

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C-289
7-10-51

[illegible]

Order No. 427 Amendment No. 5 September [illegible], 1952

Subject: Delegation of Authority to Regional Administrators in Connection with Lands and Resources; Classifications, Withdrawals, and Restorations.

A new section is added as follows:

Sec. 2.29 Public land orders. Matters relating to the issuance of public land orders, pursuant to 43 CFR 295.[illegible] to 295.[illegible] except actions required by 43 CFR 295.11 (b) and (c) in the name of the Secretary of the Interior is delegated.

/s/ William Zimmerman, Jr.

Associate Director

Approved: November 7, 1952

/s/ Oscar L. Chapman

Secretary of the Interior

Distribution: Each Regional Administrator 10
Washington Chiefs of Divisions 5

# DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

[Order 427, Amdt. 3]

REGIONAL ADMINISTRATORS

### DELEGATION OF AUTHORITY IN CONNECTION WITH LANDS AND RESOURCES; CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

SEPTEMBER 23, 1952.

A new section is added, as follows:

SEC. 2.23 *Public land orders.* Matters relating to the issuance of public land orders, pursuant to 43 CFR 295.9 to 295.11, except actions required by 43 CFR 295.11 (b) and (c) to be taken by the Secretary of the Interior or his delegate.

WILLIAM ZIMMERMAN, Jr.,  
*Associate Director.*

Approved: November 7, 1952.

OSCAR L. CHAPMAN,  
*Secretary of the Interior.*

[F. R. Doc. 52-[illegible]; Filed, Nov. 14, 1952; 8:45 a. m.]

Fisher
Barr
Finnegan

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON

ORDER NO. 427, Amendment No. 2.

Subject: Delegations of authority to the Regional Administrators

Order No. 427 is amended as follows:

## PART 1--AUTHORITY IN GENERAL

1. Section 1.1(e) is amended to read:

Sec. 1.1(e) Each employee who serves as acting regional administrator shall prepare a memorandum to be kept in the regional office showing the date and hour of the commencement and termination of each period of his service in that capacity.

2. Paragraphs (c) and (d) of section 1.4 are amended to read:

Sec. 1.4 Authority to designate employees to perform the functions of acting managers. (c) The regional administrator of any region may authorize any qualified employee of the Bureau of Land Management in his region to perform the functions of the manager of a district land and survey office in his region in case of the death, resignation, absence, or sickness of the manager.

(d) An employee who is authorized to perform the functions of the manager shall sign documents and other papers as "Acting Manager." No employee, however, shall perform such functions until he has filed a bond in such penal sum as may be fixed and the bond has been accepted. Each employee who serves in this capacity shall

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by memorandum advise the regional administrator of the beginning and termination of the period of the service.

## PART 2—AUTHORITY IN SPECIFIED MATTERS

### GENERAL

3. Section 2.13 is amended to read:

Sec. 2.13 Roads. Matters involving the acquisition of rights-of-way for access roads on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, and of existing connecting roads adjacent to such lands, including purchases after clearance with the Department of Justice but not including recommendations to the Attorney General for condemnation proceedings.

### CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

4. Section 2.22, authorizing the regional administrators to issue certain classes of orders of withdrawal and restorations, is amended by adding after paragraph (a)(5) a new paragraph as follows:

(6) Opening lands acquired by exchanges, after acceptance of title.

### NONMINERAL MATTERS, EXCEPT RANGE MANAGEMENT AND TIMBER

5. Section 2.51 is amended to read:

Sec. 2.51 Airports and air navigation facilities. (a) Leases of public lands for public airports and permits for air navigation facilities under the act of May 24, 1928 (49 U.S.C. sec. 211-214).

(b) All actions under the Federal Airport Act (49 U.S.C. sec. 1101), up to the issuance of patents.

6. Section 2.70 is amended to read:

Section 2.70 Public sales. Public sales pursuant to 43 CFR, Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior.

## RANGE MANAGEMENT

7. Section 2.91 is amended to read:

Sec. 2.91 Grazing district administration. Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U.S.C. sec. 315 et. seq., 16 U.S.C. sec. 7151) and 43 CFR, parts 161, 163 and 165, as follows:

(a) Licenses or permits to graze or trail livestock in grazing districts.

(b) Cooperative agreements under:

(1) section 2 of the act (43 U.S.C. sec. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) section 9 of the act (43 U.S.C. sec. 315h) with associations or State agencies for the conservation or propagation of wildlife; and

(3) section 12 of the act (43 U.S.C. sec. 315k) with any department of the Government to coordinate range administration.

(c) Permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The expenditure of funds appropriated by the Congress, or contributed by individuals, associations, advisory boards, or others, for the construction, purchase or maintenance of range improvements.

(e) Leases under the Pierce Act (43 U.S.C. secs. 315m-1 to 315m-4 inclusive).

(f) Require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 1[illegible], 1942 (43 U.S.C. sec. 315o-2), and make payments in connection therewith as authorized by that act.

3. Section 2.93 is amended to read:

Sec. 2.93 Appropriation of water. Execution and forwarding to the proper State office of informational notices of the appropriation of water on the public lands, and applications under State laws to appropriate water on other lands under the administration of the Bureau of Land Management, where required in connection with stock-watering projects, and procurement of easements or rights-of-way upon or over private lands where improvements are erected.

Roscoe E. Bell

Associate Director

Approved: JUL 10 1951

Oscar L. Chapman

Secretary of the Interior

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Order No. [illegible] Amendment No. 3 [illegible]

Subject: Delegation of Authority to Regional Administrators in Connection with Lands and Resources; Classifications, Withdrawals, and Restorations

A new section is added as follows:

Sec. [illegible] Public land orders. Matters relating to the issuance of public land orders, pursuant to 43 CFR 295.8 to 295.11 except actions required by 43 CFR 295.11 (b) and (c) to be taken by the Secretary of the Interior or his delegate.

/s/ William Zimmerman, Jr.

Associate Director

Approved: November 7, 1952

/s/ Oscar L. Chapman

Secretary of the Interior

Distribution: Each Regional Administrator 10
Washington Chiefs of Divisions 5

[illegible] See Sec. [illegible]

SEP 22 1950

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON

ORDER No. 427

## Correction Notice

The last two sentences of paragraph (e) of section 1.4 of Order No. 427 (15 F.R. 5640) were included in the section through inadvertence, and they are hereby deleted.

William Zimmerman, Jr.
Assistant Director

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9-14-50

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington

Order No. 427

# DELEGATIONS OF AUTHORITY TO THE REGIONAL ADMINISTRATORS

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### CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

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2.53 Alaska, homesites or headquarters.

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PART 3—APPEALS

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## PART 1—AUTHORITY IN GENERAL

Sec. 1.1 Functions of the regional administrators and the acting regional administrators. (a) Pursuant to the authority contained in Order No. 2583 of Aug. 16, 1950, of the Secretary of the Interior, the regional administrators are hereby authorized to perform, in accordance with the existing policies of this Department, the functions of the Director, Bureau of Land Management, in their respective regions, as provided in Part 2 of this order. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any regional administrator

affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

(b) The regional administrators may act for the Director in accordance with the applicable regulations and procedures in the classes of matters enumerated in this order, with respect to lands in their respective regions in any State in which there is no land office. Matters which are required by law or regulation to be filed only in a land office shall, with respect to such lands, be filed in the Bureau of Land Management, Washington 25, D. C. which will furnish the appropriate regional administrator with the current tract book status.

(c) Any regional administrator may, by written order, authorize any chief of division in his region, or the regional counsel for that region, to perform the functions of the regional administrator, in case of the death, resignation, absence, or sickness, of the regional administrator. A copy of each such order shall be sent to the Director. No other employee may be designated by the regional administrator to serve as acting regional administrator, except with the prior approval of the Director.

(d) In the absence of an order of the regional administrator, the chief of division in the region or the regional counsel, who is the senior officer in his grade in point of time of service in that grade will perform the functions of the regional administrator in case of the death, resignation, absence, or sickness, of the regional administrator; and in the event the employee who is the senior officer in the grade, as indicated, is not available, the functions of the regional administrator, under the conditions mentioned will be performed

by the employee who is the next senior officer in the grade.

(e) Any officer serving as acting regional administrator under the authority granted by an order of the regional administrator, or paragraph (d) of this section, shall notify the Director of the beginning and the termination of the period of the service.

Sec. 1.2 Limitations. In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise; or

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

Sec. 1.4 Authority to designate employees to perform the functions of acting managers. (a) The regional administrator of any region may authorize any qualified employee of the Bureau of Land Management in his region to perform the functions of the manager of a district land and survey office in his region in case of the death, resignation, absence, or sickness of the manager. However, such employee shall not decide or dispose of a contest or protest. He may not perform the functions of a manager until he has filed a bond in such penal sum as the regional administrator may fix and the bond has been accepted by the regional administrator. Each

employee authorized to act under this section shall sign all documents and other papers under his pay roll title and act as manager.

(d) An employee who is authorized to perform the functions of the manager shall sign documents and other papers as "Acting Manager". No employee, however, shall perform such functions until he has filed a bond in such penal sum as may be fixed and the bond has been accepted. Each employee who serves in this capacity shall by memorandum advise the regional administrator of the beginning and termination of the period of the service. Copies of such memorandum shall be sent to the Director.

Sec. 1.5 Redelegation. (a) Each regional administrator may redelegate or authorize the redelegation of any authority vested in him by this order to any qualified employee in his region, except as to the authority to appoint acting regional administrators.

(b) Any order of redelegation or authorization pursuant to this section must be approved by the Secretary of the Interior and published in the Federal Register.

## PART 2—AUTHORITY IN SPECIFIED MATTERS

The regional administrators, subject to the provisions of Part 1 of this order, are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

### GENERAL

Sec. 2.2 Bonds. Bonds filed in connection with matters pertaining to the public lands or the resources thereof, or other lands or resources under the jurisdiction of the Bureau of Land Management where the regional administrator has authority under any section of this order to act in such matters.

Sec. 2.3 Cancellations or surrenders of contracts, leases, and permits. Partial or complete cancellations or surrenders of contracts, leases, and permits of the classes which may be acted upon by the regional administrators.

Sec. 2.4 Contributions and refunds. Accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U.S.C. sec. 315h).

Sec. 2.5 Copies of records. Copies of official records, pursuant to 43 CFR, Parts 2 and 240.

Sec. 2.7 Fire-protection contracts. Contracts with State, county, municipal, and private fire-control organizations for the protection from fire (prevention, presuppression, and suppression) of the public domain, including the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon.

Sec. 2.8 Gifts. Accept on behalf of the United States any lands within or without a grazing district as a gift, where such action will promote the purposes of the district or facilitate the administration of the public lands, pursuant to section 8a of the Taylor Grazing Act, as amended (43 U.S.C. sec. 315g).

Sec. 2.9 Government contests. The initiation of Government contests against claims asserted to public lands, and all necessary actions involving the prosecution of such contests.

Sec. 2.11 Repayment. Applications for repayment under 43 CFR, Part 217.

Sec. 2.13 Roads. Matters involving the acquisition of rights-of-way for access roads on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, and of existing connecting roads adjacent to such lands, including purchases after clearance with the Department of Justice but not including recommendations to the Attorney General for condemnation proceedings.

Sec. 2.14 Surveys (a) Appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U.S.C. sec. 39) with authority to execute mineral surveys within all states of the region in which appointed, and in adjoining states, appointments of deputy surveyors for special surveys in Alaska pursuant to 43 CFR 61.14, 64.5, 65.21, and 81.8, and the approval and acceptance of their bonds; preparation of supplemental plats for acceptance by the Director; initiation of action in all classes of survey and resurvey of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The preparation and publication in the Federal Register of notices of the official filing of approved plats of survey and resurvey.

Sec. 2.15 Trespass. Determination of liability and acceptance of payment of damages for trespass on the public lands, and the disposal of resources recovered in trespass cases for not less than the appraised value thereof; also recommendations to the United States Attorney for (a) the institution of suits arising out of trespasses, where the money judgment sought is not in excess of $1,000, and (b) the compromise of such suits where the amount is not in excess of $500.

## CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

Sec. 2.21 Classification of lands. The classification of public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U.S.C. sec. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

Sec. 2.22 Orders of withdrawal and restoration. (a) Issue orders of the classes listed below withdrawing or reserving public lands, or restoring such lands from withdrawal or reservation, based on the following statutory powers of the Secretary:

(1) Stock-driveways, authorized by section 10 of the act of December 29, 1916, as amended (43 U.S.C. sec. 300);

(2) Air-navigation facilities, under section 4 of the act of May 24, 1928 (49 U.S.C. sec. 214);

(3) Waiver of the restrictions as to length of claims and restoration of reserved shore spaces in Alaska, under the act of June 5, 1920 (48 U.S.C. sec. 372);

(4) Restorations under section 24 of the Federal Power Act, as amended (16 U.S.C. sec. 818); and

(5) Opening reclamation lands to location and entry under the general mining laws, in accordance with the act of April 23, 1932 (43 U.S.C. sec. 154).

(b) All orders issued pursuant to the authority contained in this section shall conform to such procedures as have been or may be prescribed by law, or by the Secretary of the Interior, with respect to public notice, and shall be submitted to the Division of the Federal Register, National Archives and Records Service, General Services Administration for filing and publication.

MINERAL

Sec. 2.31 Oil and gas leases. (a) Oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U.S.C. sec. 226), as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) Oil and gas leases under the act of August 7, 1947 (30 U.S.C. Supp. III, secs. 351-359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a).

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

Sec. 2.32 Coal permits and licenses, and coal leases based on discoveries under permits. (a) Coal prospecting permits and licenses under the act of February 25, 1920 (30 U.S.C. secs. 201, 202-208) and coal prospecting permits and coal free-use permits, in Alaska, under the act of October 20, 1914, as amended (48 U.S.C. secs. 432-445, 446-452).

(b) Coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

Sec. 2.45 Mining claims. Mining claim matters under 43 CFR, Parts 185 and 69, except the approval of entries for patenting.

NONMINERAL MATTERS,
EXCEPT RANGE MANAGEMENT AND TIMBER

Sec. 2.51 Airports. (a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U.S.C. secs. 211-214).

(b) All actions under the Federal Airport Act (49 U.S.C. sec. 1101), up to the issuance of patents.

Sec. 2.52 Alaska, fur farms. Leases of public lands in Alaska for fur farms, under the act of July 3, 1926 (48 U.S.C. secs. 360, 361).

Sec. 2.53 Alaska, homesites or headquarters. Homesites or headquarters in Alaska, pursuant to 43 CFR, Part 64.

Sec. 2.54 Alaska Housing Authority. Transfer to the Alaska Housing Authority of lands above high water mark and under the jurisdiction of the Department of the Interior, pursuant to section 6 of the Alaska Housing Act of April 23, 1949 (48 U.S.C. sec. 484e).

Sec. 2.55 Alaska, Matanuska Valley. Disposal of lands in the Matanuska Valley, Alaska, under the act of October 17, 1940 (48 U.S.C. sec. 353 note).

Sec. 2.56 Alaska public works. Transfers in accordance with section 7 of the act of August 24, 1949 (48 U.S.C. sec. 486e) of any interest in public lands in Alaska for any public works project which has been approved under section 4 of the act.

Sec. 2.57 Alaska, Trade and manufacturing sites. Trade and manufacturing sites in Alaska, pursuant to 43 CFR, Part 81.

Sec. 2.61 Cemetery sites. Cemetery sites, including such sites in Alaska, pursuant to 43 CFR, Parts 72 and 253.

Sec. 2.62 Color-of-title and riparian claims. Color-of-title and riparian claims, under 43 CFR, Parts 140 and 141.

Sec. 2.63 Exchanges. Exchanges under 43 CFR, Part 146, and sections 149.35 ~~and~~ to 149.43 inclusive, and under Part 115, where the value of the selected lands does not exceed $50,000; also exchanges under section 2 of the act of August 13, 1949 (63 Stat. 604).

Sec. 2.64 Homesteads. Homesteads, including homesteads in Alaska, pursuant to 43 CFR, Parts 166 to 170 inclusive, and 65 and 66.

Sec. 2.65 Indian allotments. Indian allotments, including such allotments in Alaska, pursuant to 43 CFR, Parts 176 and 67.

Sec. 2.66 Material other than timber. Sale of materials other than timber of an appraised value not to exceed $20,000, and the free use of materials other than timber, under 43 CFR, Part 259.

Sec. 2.67 Mineral or medicinal springs. Leases of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U.S.C. sec. 971).

Sec. 2.68 Motion or sound pictures. Permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR, Part 5.

Sec. 2.55 Alaska, Matanuska Valley. Disposal of lands in the Matanuska Valley, Alaska, under the act of October 17, 1940 (48 U.S.C. sec. 353 note).

Sec. 2.56 Alaska, public works. Transfers in accordance with section 7 of the act of August 24, 1949 (48 U.S.C. sec. 486e) of any interest in public lands in Alaska for any public works project which has been approved under section 4 of the act.

Sec. 2.57 Alaska, Trade and manufacturing sites. Trade and manufacturing sites in Alaska, pursuant to 43 CFR, Part 81.

Sec. 2.61 Cemetery sites. Cemetery sites, including such sites in Alaska, pursuant to 43 CFR, Parts 72 and 253.

Sec. 2.62 Color-of-title and riparian claims. Color-of-title and riparian claims, under 43 CFR, Parts 140 and 141.

Sec. 2.63 Exchanges. Exchanges under 43 CFR, Part 145, and sections 146.12 ~~and~~ to 146.14 inclusive, and under Part 125, where the value of the selected lands does not exceed $10,000; also exchanges under section 2 of the act of January 12, 1949 (63 Stat. 820).

Sec. 2.64 Homesteads. Homesteads, including homesteads in Alaska, pursuant to 43 CFR, Parts 166 to 179 inclusive, and 65 and 66.

Sec. 2.65 Indian allotments. Indian allotments, including such allotments in Alaska, pursuant to 43 CFR, Parts 179 and 67.

Sec. 2.66 Material other than timber. Sale of materials other than timber of an appraised value not to exceed $1,000, and the free use of materials other than timber, under 43 CFR, Part 259.

Sec. 2.67 Mineral or medicinal springs. Leases of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U.S.C. sec. 971).

Sec. 2.68 Motion or sound pictures. Permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR, Part 5.

Sec. 2.70 Public sales. Public sales pursuant to 43 CFR, Part 250, and other sales of land by competitive bidding, when authorized by law.

Sec. 2.71 Reclamation and irrigation. Reclamation and desert-land entries, State irrigation districts and Nevada underground-water permits and entries, pursuant to 43 CFR, Parts 230 to 234 inclusive.

Sec. 2.72 Rights-of-way. (a) Right-of-way permits and easements over public and acquired lands, including revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and over reservations other than Indian reservations, when authorized by law.

(b) Approval of construction in advance of the issuance of a permit or the granting of an easement.

(c) Actions involving lands within National parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

Sec. 2.73 Small tracts. Small tracts, under the act of June 1, 1938 (43 U.S.C. sec. 682a), as amended.

Sec. 2.74 Special land-use permits. (a) Special land-use permits for public lands, pursuant to 43 CFR, Part 258.

(b) Special land-use permits for revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, pursuant to 43 CFR, sec. 115.150.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR, Part 258.

(d) Permits to use areas below the high-water mark of navigable waters in Alaska for occupancy purposes, under the principles embodied in 43 CFR, Part 258, subject to rules, regulations, and requirements of the Department of the Army respecting the navigation of such streams.

(e) Landing and wharf permits on reserved shore space in Alaska, pursuant to 43 CFR, Part 68.

(f) Every such permit issued to a Federal agency or to ~~a~~ a State agency or political subdivision shall be restricted to the smallest area needed for the proposed use. Not more than 50,000 acres may be included in such a permit, and no such permit may be issued under this authority where a withdrawal of a class which the regional administrators are not authorised to make is requested.

Sec. 2.77 Surface rights. Nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR, Parts 102 and 66.

Sec. 2.78 Town sites. Lots in Government town sites, and other town-site matters when authorized by law (reclamation town-site matters to be handled jointly with the Director, Bureau of Reclamation, pursuant to 43 CFR, secs. 255.42 to 255.45 inclusive, and sec. 255.47), except the issuance of orders withdrawing public lands for town-site purposes, and Oklahoma town-site matters under 43 CFR, secs. 255.49 to 255.51 inclusive.

Sec. 2.79 Water wells. Water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U.S.C. sec. 229a), and 30 CFR, sec. 241.6.

## RANGE MANAGEMENT

Sec. 2.91 Grazing district administration. Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U.S.C. sec. 315 et seq., 16 U.S.C. sec. 7151) and 43 CFR, Parts 161, 163, and 165, as follows:

(a) Licenses or permits to graze or trail livestock in grazing districts.

(b) Cooperative agreements under:

(1) section 2 of the act (43 U.S.C. sec. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) section 9 of the act (43 U.S.C. sec. 315h) with associations, State agencies, or Federal agencies for the conservation or propagation of wildlife; and

(3) section 12 of the act (43 U.S.C. sec. 315k) with any department of the Government to coordinate range administration.

(c) Permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The expenditure of funds appropriated by the Congress, or contributed by individuals, associations, advisory boards, or others, for the construction, purchase or maintenance of range improvements.

(e) Leases under the Pierce Act (43 U.S.C. secs. 315m-1 to 315m-4 inclusive).

(f) Require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant

to the act of December 18, 1942 (43 U.S.C. sec. 315o-2), and make payments in connection therewith as authorized by that act.

Sec. 2.92 Grazing leases, etc. (a) Grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U.S.C. sec. 315m) and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

(b) Grazing leases of the revested Oregon and California railroad and the reconveyed Coos Bay wagon road grant lands in Oregon, and crossing permits for such lands, in accordance with 43 CFR, Part 115.

(c) Grazing leases of public lands in Alaska, under the act of March 4, 1927 (43 U.S.C. secs. 471, 471a-471o).

Sec. 2.93 Appropriation of water under State laws. Execution and filing in the name of the United States of applications to appropriate water under State laws, where required in connection with stock-watering projects, and procurement of easements or rights-of-way upon or over private lands, where improvements are erected.

Sec. 2.94 Soil and moisture conservation. Soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U.S.C. sec. 590a, et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

Sec. 2.95 Controlled brush burning. Issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, in accordance with plans and specifications approved by the Director.

## TIMBER

Sec. 2.121 Disposition of timber. (a) Sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management, including the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon.

(b) Sales of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

Sec. 2.122 Hearing in connection with sustained-yield forest units. Scheduling and holding of public hearings on master forest units and their appurtenant marketing areas, and on sustained-yield forest units and cooperative agreements for sustained-yield forest units comprising revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and lands in private ownership, or controlled by other public agencies under authority of the act of August 28, 1937 (50 Stat. 874), and 16 U.S.C. secs. 583, 583a-583i. The notice may designate any qualified employee in the region to hold the hearing.

Sec. 2.123 Cutting of timber on certain mining claims in Oregon. Applications from owners of mining claims located since August 28, 1937 on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, to cut and use so much of the timber on the mining claims as is necessary in the development and operation of the mines, until such time as the

timber is otherwise disposed of by the United States, pursuant to the act of April 8, 1948 (62 Stat. 162).

Sec. 2.124 Timber patents. Extension of time in which to cut timber under timber patents on the revested and reconveyed land in Oregon, under the act of May 19, 1930 (46 Stat. 369) and the termination of rights under timber patents under the act of June 9, 1916 (39 Stat. 218).

## PART 3—APPEALS

Sec. 3.1 Right of appeal. Any person aggrieved by the action of any regional administrator may appeal to the Director, Bureau of Land Management, and from his decision to the Secretary of the Interior, pursuant to the Rules of Practice (43 CFR, Part 221).

## PART 4—EFFECT ON PRIOR ORDERS

Sec. 4.1 Revocations. Orders Nos. 274, 295, 301, 319, 331, 336, 337, 345, 346, 348, 355, 363, 370, 411, and 417 are hereby revoked, to the extent that these orders authorized the regional administrators to perform certain functions relating to the public lands.

Sec. 4.2 Saving Clause. Subdelegations of authority to the managers of the district land offices, and to any employees other than the regional administrators which have heretofore been made, and which are in force on the effective date of this order, shall remain in force until revoked or superseded by delegations made under this order.

Marion Clawson
Director

Approved: Aug 16, 1950
Oscar L Chapman
Secretary of the Interior

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington

Dec [illegible]

Order No. 428

## REDELEGATIONS OF AUTHORITY TO THE CHIEF, DIVISION OF ADJUDICATION, AND CHIEFS OF SUBDIVISIONS OF THAT DIVISION

AUTHORITY IN GENERAL

Sec.
1 Functions of the Chief, Division of Adjudication, and chiefs of subdivisions of that Division.

2 Limitations.

NONMINERAL MATTERS

5 Applications for patented or reserved lands.

6 Cash and credit system entries.

7 Closing of cases.

8 Confirmed private land claims.

9 Copies of records.

10 Decisions in specified cases.

11 Erroneously included lands in leases and permits.

12 Extensions of time.

13 Patents.

MINERALS

Sec.
20 Oil and gas noncompetitive leases.

21 Sodium permits.

22 Sulphur permits.

23 Potassium permits.

APPEALS

31 Appeals.

EFFECT ON PRIOR ORDERS

36 Revocations.

✓Copy to: Chief Counsel, Bureau of Land Management

## AUTHORITY IN GENERAL

Sec. 1. Functions of the Chief, Division of Adjudication, and chiefs of subdivisions of that Division. The Chief, Division of Adjudication, and chiefs of subdivisions of that Division, are authorized to perform, in accordance with the existing policies of this Department, the functions of the Director, as provided in this order. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such chief affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

Sec. 2. Limitations. The authority delegated by this order does not include any authority reserved to the Secretary of the Interior by Order No. 2583 of Aug 16 1950 of the Secretary. No action shall be taken involving a new or novel question of law or a commitment not previously authorized.

## NONMINERAL MATTERS

Sec. 5. Applications for patented or reserved lands. Applications for patented or reserved lands, not subject to disposal under the applications.

Sec. 6. Cash and credit system entries. Old cash and credit entries, where full payment has been made.

Sec. 7. Closing of cases. Closing of cases, where proper, pursuant to Bureau or departmental decisions.

Sec. 8. Confirmed private land claims. Issue orders for patents, in proper cases, for confirmed private land claims, based on application therefor.

Rescinded [illegible]
order [illegible]
[illegible]

Sec. 9. Copies of records. Copies and exemplifications of patents, plats and other records of the Bureau.

Sec. 10. Decisions in specified cases. Decisions rejecting applications or requiring additional evidence, in the following classes of cases:

(a) Amendment of patents

(b) Drainage cases

(c) Forest exchanges, other than title matters

(d) Forest lieu selections

(e) Quitclaim deeds

(f) Scrip

(g) Small holding claims

(h) Soldiers' additional entries; and

(i) Timber and stone entries

Sec. 11. Erroneously-included lands in leases and permits. Eliminate from leases and permits of all types lands which, having been previously disposed of, or having been subject to a withdrawal or reservation, were erroneously included.

Sec. 12. Extensions of time. Applications for extensions of time within which to meet requirements made by decisions of the Bureau, except in timber, material and grazing district appeal cases.

Sec. 13. Patents. (a) Patents for grants of land under authority of the Government, to be issued in the name of the United States, other than patents or other conveyances which require the approval of signature of the President. Patents may be

signed for the Director by the Chief of the Patents Section of the Bureau, and, in his absence, by the Acting Chief of the Section.

(b) Orders for new and perfect patents, in lieu of patents imperfect as to signature.

MINERALS

Minerals

Sec. 20. Oil and gas noncompetitive leases. Noncompetitive leases for oil and gas in acquired lands, pursuant to 43 CFR, Part 200. All decisions signed by the Chief, Branch of Minerals prior to the date of this order, involving any permits or leases under 43 CFR, Part 200, are hereby confirmed.

Sec. 21. Sodium permits. Sodium permits under section 23 of the Act of February 25, 1920 (30 U.S.C. sec. 261), as amended, and sodium permits in acquired lands, pursuant to 43 CFR, Part 200.

Sec. 22. Sulphur permits. Sulphur permits under the Act of April 17, 1926 (30 U.S.C. sec. 271), as amended, and sulphur permits in acquired lands, pursuant to 43 CFR, Part 200.

Sec. 23. Potassium permits. Potassium permits under the Act of February 7, 1927 (30 U.S.C. secs. 281-284), as amended, and potassium permits in acquired lands, pursuant to 43 CFR, Part 200, except recommendations to the Secretary of the Interior for the approval of such permits.

## APPEALS

Sec. 31. Appeals. All actions taken pursuant to this order will be subject to appeal to the Secretary of the Interior, pursuant to the Rules of Practice (43 CFR, Part 221).

## EFFECT ON PRIOR ORDERS

Sec. 28. Revocations. This order supersedes delegations of authority made by the following orders, which are hereby revoked:

Order No. 307, May 6, 1948,

Order No. 314, June 24, 1948,

Order No. 318, July 16, 1948,

Order No. 340, September 24, 1948, and

Order No. 379, March 31, 1949.

Marion Clawson
Director

Approved:

Aug. 16, 1950

Oscar L. Chapman

Secretary of the Interior

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

## Part 63--FEDERAL POWER ACT

## WITHDRAWALS AND RESTORATIONS

SEP 10 1951

63.1 Application for project under the Federal Power Act involving public lands filed with the Federal Power Commission; effective date of withdrawal; procedure.

When an application under the Federal Power Act involving public lands is filed with the Federal Power Commission, it will immediately notify the Office of the Director, Bureau of Land Management, Washington 25, D.C., of such filing and of the date it was received. Section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, states: "Any lands of the United States included in any proposed project under the provisions of this act shall from the date of filing of application therefor be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the commission or by Congress. * * * "

A copy of the letter to the Office of the Director will be mailed directly by the commission to the manager of the proper land office. The manager upon receipt of such letter will note the application on his records. The manager should at once make careful examination of his records for selections approved or entries allowed for the lands affected after the effective date of priority (the date of the filing of the application with the Federal Power Commission), and prior to the receipt of the notice thereof in his office, and hold for rejection or cancellation all such selections or entries. He should also reject all pending applications or selections the allowance of which is discretionary.

(See note following sec. 63.7).

63.2. Action on application for withdrawn lands; procedure when appeal is filed. An application for public lands withdrawn, classified, or reserved as a power site, water-power designation, or Federal power project should be acted upon in accordance with 43 CFR 103.2 to 103.5, inclusive. An application for the restoration of the lands under the provisions of section 24 of the Federal Power Act pursuant to 43 CFR 103.5 should be filed with the Federal Power Commission or, if filed in the land office or regional office, should be forwarded to the Federal Power Commission, Washington 25, D. C. In the event an appeal is filed from a manager's decision rejecting an application, and the record does not show that the applicant has requested the Federal Power Commission to consider the question of restoration, the manager or the regional administrator will make such a request. The applicant should be informed that the request has been made, but that if the land is restored, the applicant will not be entitled to a preference right of application because of making the request.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

"AD:FF"

OCT 9 - 1950

Order No. 429

Order No. 147, approved by the Department January 23, 1943, concerning the filing of preference right applications under the act of July 29, 1942 (56 Stat. 726; 30 U.S.C. sec. 226b) is revoked.

Full compliance with 43 CFR 192.42 and 192.130 is necessary to secure a preference-right lease under the above-mentioned act.

Marion Clawson

Director

Approved OCT 17 1950

William E. Warne

[Acting] Secretary of the Interior

*1849* A Century of Conservation *1949*

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

Order No. 430

DEC 1 - 1950

## MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 24--BONDS

Section 24.6 is added, as follows:

24.6 Bonds of mineral surveyors. Under 43 CFR 185.50 as revised, mineral surveyors are eligible to execute mineral surveys within all States of the region in which appointed, and in adjoining States. A separate bond for the mineral surveyor for each State will not be required; one bond on Form 4-677, properly completed to specify the States covered by the appointment, will be sufficient.

Bonds of mineral surveyors which are restricted to a single State under existing appointment, may be amended to include other States by securing the consent of the surety to such extension. Evidence of such consent of the surety should be filed with the original bond.

Parts 24.4 and 24.5 of the Manual are hereby revoked.

William Zimmerman, Jr.
Acting Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

ADL:SCN
ADMINISTRATION
Manual
Revision

Order No. 431

DEC 14 1950

## MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 107--MORTGAGE LOANS

### GENERAL

The following part is added.

Sec. 107.1 Memorandum of Understanding and Act.[1] The Memorandum of Understanding approved February 17, 1950 by the Secretary of Agriculture and March 25, 1950 by the Secretary of the Interior under the act of October 19, 1949 (63 Stat. 883, 7 U. S. C. 1946 ed. Supp III Secs. 1006a, 1006b), extended financial assistance by the Farmers Home Administration of the Department of Agriculture to homestead entrymen including homestead entrymen in Alaska and reclamation homestead entrymen.

107.2 Definitions. Herein, the letters "FHA" have reference to the Farmers Home Administration, "Director", the Director of the Bureau of Land Management, and "the Manager" refers to the Manager of a land office, a land and survey office, or the Regional Administrator who has jurisdiction over a State in his region in which there is no land office.

### FURNISHING INFORMATION TO FARMERS HOME ADMINISTRATION

107.3 Action by Manager furnishing information. Upon written request from the County Supervisor (Area Supervisor in Alaska) of the FHA, the Manager will furnish any available information concerning a homestead entry or an application for a homestead entry shown by the record. Ordinarily, there will be attached to the request a copy of a written authorization by the homestead entryman or applicant to the County Supervisor of the FHA allowing him to obtain such available information. (Paragraph 4 of Part II of the Memorandum of Understanding).

C249
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[1] The Memorandum of Understanding is in the Manual under Appendix M-Mortgage Loans.

## FILING MORTGAGE, NOTIFICATION OF LOAN, RELEASE OF MORTGAGE

107.4 Filing copy of mortgage as notification of loan granted. The Manager will file in the homestead entry record a copy of the mortgage and any other appropriate instruments including the "Farm Development Plan" or the "Water Facilities Plan", and note the serial register and tract book when such instruments are furnished by the County Supervisor of the FHA. Copies of these instruments will serve as a notification that the loan has been granted. (Paragraph 7 of Part II of the Memorandum of Understanding).

107.5 Release of Mortgage. The Manager will note his records and file in the homestead entry record information as to the release of a mortgage when he has been notified thereof by the County Supervisor of the FHA. (Paragraph 2, Part III of the Memorandum of Understanding).

## NOTICE OF EXPIRATION OF STATUTORY PERIOD TO SUBMIT FINAL PROOF OF REGULAR AND RECLAMATION HOMESTEAD ENTRIES

107.6 Service of statutory expiration notice. In the event the entryman-borrower has not submitted final homestead proof within the statutory period, the Manager will send to the County Supervisor of the FHA, and to the Regional Director of Bureau of Reclamation in case of a reclamation homestead entry, a copy of the Notice of the Expiration of the Statutory Period sent to the entryman-borrower.

107.7 Closing case. Where a case is closed by the Manager for failure to take action under the Notice of the Expiration of the Statutory Period, the Manager will notify the County Supervisor of the FHA and the Regional Director of the Bureau of Reclamation if a reclamation homestead entry. (Paragraph 6 of Part III of the Memorandum of Understanding).

## DEFAULTS ON MORTGAGE OR ENTRY NOT WITHIN RECLAMATION PROJECT

107.8 Default on mortgage. (a) When the Manager receives a request from the State Director of the FHA for the cancellation of a homestead entry (not within a reclamation project) whenever any default occurs in the terms, conditions, covenants and obligations in the mortgage he shall render an appropriate decision canceling the entry subject to the right of appeal to the Director within fifteen days from receipt of notice.

(b) The Manager will send a copy of his decision to the State Director of the FHA. (Paragraph 2 of Part IV of the Memorandum of Understanding).

(c) If an appeal is filed from the decision of cancellation within the 15-day period allowed, the Manager will immediately transmit the record and appeal to the Regional Administrator, who in turn, unless he finds that the relief requested should be granted, will promptly transmit it by air mail to the Director. Upon receipt of such an appeal by the Director, it will be acted upon immediately and a decision will be prepared for approval of the Secretary of the Interior.

107.9 Default on entry. (a) The Manager will notify in writing the State Director of the FHA at least thirty days before any action is commenced by him looking toward the cancellation of a homestead entry (not within a reclamation project ) under the homestead laws or regulations, giving the reason for cancellation.

(b) The Manager will consider any new information submitted by the State Director of the FHA prior to the end of the thirty-day period before rendering a decision on the cancellation of an entry.

(c) If the Manager renders a decision to cancel the entry he will send a copy thereof to the State Director of the FHA.

(d) If the Manager determines not to cancel the entry (in which case a decision would ordinarily not be rendered) he will nevertheless notify the State Director of the FHA. (Paragraph 3 of Part IV of the Memorandum of Understanding).

(e) The time allowed for appeal and action on the appeal will be the same as provided in Section 107.8 hereof for concellation on default of Mortgage.

107.10 Closed case, relinquished entry, notations on tract book. Where a homestead entry has been canceled and the case closed on such an entry has been relinquished, the Manager will notify the State Director of the FHA. The Manager will also note the tract books in his office in such a manner as to show that the lands are covered by a mortgage lien held by the United States acting through the Department of Agriculture (FHA) under the act of October 19, 1949. (Paragraphs 2 and 3 of Part IV, and Paragraph 1 of Part V, of the Memorandum of Understanding).

## DEFAULTS ON MORTGAGE OR ENTRY WITHIN A RECLAMATION PROJECT

107.11 Suspension of action on default of mortgage. (a) When the Manager receives a request from the State Director of the FHA for the cancellation of a homestead entry within a reclamation project whenever any default occurs in the terms, conditions, covenants and obligations of the mortgage, and (b) the Manager receives within thirty days therefrom a copy of a request by the Regional Director of the Bureau of Reclamation to the State Director of the FHA to reconsider the cancellation of the entry, the Manager will suspend action on the request for cancellation of the entry until further notified by the FHA. (Paragraph 2 of Part IV of the Memorandum of Understanding).

107.12 Default of mortgage after suspension or where not suspended. (a) (1) When the Manager has suspended action on the cancellation of a reclamation homestead entry for default on the mortgage andthereafter receives the final determination by the State Director of the FHA that the entry be canceled, or (2) where the Manager at the end of thirty days from the filing of the request for cancellation of the entry by the State Director of the FHA on default of the mortgage has not received a notice that the matter is being reconsidered and, therefore, the entry has not been suspended, the Manager will in either case render a decision canceling the entry subject to the right of appeal within fifteen days from receipt of notice to the Director, and the Manager will send copies of the decision to the State Director of the FHA and to the Regional Director of the Bureau of Reclamation. (Paragarph 2 of Part IV of the Memorandum of Understanding).

(b) Procedure upon appeal will be the same as provided in Section 107.8 hereof.

107.13 Defaults on reclamation entry under homestead laws and regulations. (a) The Manager will notify in writing the State Director of the FHA and the Regional Director of the Bureau of Reclamation at least thirty days before any action is commenced by him looking toward the cancellation of a reclamation homestead entry under the homestead laws and regulations, giving the reason for cancellation.

(b) The Manager will consider any new information submitted prior to the end of the thirty-day period by the State Director of the FHA and the Regional Director of the Bureau of Reclamation before rendering a decision on the cancellation of the entry.

(c) If the Manager renders a decision to cancel the entry he will send a copy thereof to the State Director of the FHA and to the Regional Director of the Bureau of Reclamation.

(d) If the Manager determines not to cancel the entry (in which case a decision would ordinarily not be rendered) he will nevertheless notify the State Director of the FHA and the Regional Director of the Bureau of Reclamation. (Paragraph 3 of Part IV of the Memorandum of Understanding).

(e) The time allowed for appeal and action on the appeal will be the same as provided in Section 107.8 hereof for cancellations on default of mortgages.

107.14 Closed case, relinquished entry, notations on tract books. Where a reclamation homestead entry had been conceled and the case closed or such an entry has been relinquished, the Manager will notify the State Director of the FHA and the Regional Director of the Bureau of Reclamation. The Manager will also note the tract books in his office in such a manner as to show that the lands are covered by a mortgage lien under the act of October 19, 1949. (Paragraphs 2 and 3 of Part IV, and Paragraph 1 of Part V. of the Memorandum of Understanding).

## DISPOSAL OF LANDS NOT WITHIN A RECLAMATION PROJECT AFTER CANCELLATION OR RELINQUISHMENT OF A FORMER ENTRY WHERE THE LANDS ARE SUBJECT TO A MORTGAGE HELD BY THE UNITED STATES ACTING THROUGH THE DEPARTMENT OF AGRICULTURE

107.15 Action by Regional Administrator, joint determination of indebtedness. As soon as possible after the cancellation or relinquishment of a homestead entry not within a reclamation project for land subject to a mortgage held by the United States acting through the Department of Agriculture (FHA)and after the FHA has furnished to this Bureau an appraisal of the long-term earning capacity of the land, the State Director of the FHA and the Regional Administrator of this Bureau will jointly determine what amount of indebtedness due the United States for FHA loan shall be required to be paid by a new entryman. (Paragraph 5 of Part V of the Memorandum of Understanding).

107.16 Action by Manager, filing and allowance of homestead applications. (a) An applicant for reentry of the land must first consult the FHA and the Manager should refer such inquiries to the State Director thereof. The FHA will select an applicant for reentry who can qualify for an initial loan and who has not exercised his homestead rights. Thereafter, when a selected applicant files a homestead application in the land office under the direction of the FHA,

the Manager will within ten days after the filing of the application issue and send by registered mail a notice of allowance or a decision rejecting the application, as the case may be, and he will mail a copy thereof to the State Director of the FHA.

(b) Where a homestead application for reentry of the land is filed in the land office without the applicant first having been selected and directed to file the application by the FHA, the Manager will reject the application.

(c) The notice of allowance by the Manager will contain a statement that the entryman is not authorized to occupy the land until he has completed arrangements for the loan and has been instructed to occupy the land by the State Director of the FHA.

(d) The Manager will note his records and file in the homestead entry record the copy of the assumption agreement and mortgage later furnished by the FHA. (Paragraph 6 of Part V of the Memorandum of Understanding).

107.17 Closing case. If a case is rejected and closed upon the Manager's decision or upon appeal therefrom, he will notify the State Director of the FHA. (Paragraph 6 of Part V of the Memorandum of Understanding).

## DISPOSAL OF LANDS IN FARM UNITS WITHIN A RECLAMATION PROJECT AFTER CANCELLATION OR RELINQUISHMENT OF A FORMER RECLAMATION HOMESTEAD ENTRY WHERE THE LANDS ARE SUBJECT TO A MORTGAGE HELD BY THE UNITED STATES ACTING THROUGH THE DEPARTMENT OF AGRICULTURE

107.18 Filing and allowance of reclamation homestead applications. (a) When a reclamation homestead application for reentry of the land in a farm unit is filed in the land office under the direction of the County Supervisor of the FHA to the applicant to do so, accompanied by a certificate of eligibility by the Bureau of Reclamation, the Manager will within ten days after the filing of the application issue and send by registered mail a notice of allowance, if the applicant is qualified, or a decision rejecting the application, as the case may be, and he will send a copy thereof to the County Supervisor of the FHA and to the Regional Director of the Bureau of Reclamation.

(b) Where a reclamation homestead application for reentry of the land in a farm unit is filed in the local land office without a certificate of eligibility by the Bureau of Reclamation and without the applicant being selected and instructed to file the application by the FHA, the Manager will reject the application.

(c) The notice of allowance by the Manager will contain a statement that the entryman is not authorized to occupy the land in the farm unit until he has completed arrangements for the loan and has been instructed to occupy the land by the County Supervisor of the FHA.

(d) The Manager will note his records and file in the reclamation homestead entry record the copy of the assumption agreement and mortgage later furnished by the FHA. (Paragraph 3 of Part V of the Memorandum of Understanding).

107.19 Closing Case. If a case is rejected and closed upon the Manager's decision or upon appeal therefrom, he will notify the County Supervisor of the FHA and the Regional Director of the Bureau of Reclamation. (Paragraph 3, Part V of the Memorandum of Understanding).

## REPORT BY MANAGER ON MINERALS ETC., CONCERNING SALE OF LANDS, INCLUDING LANDS IN RECLAMATION PROJECT, BY THE FHA UNDER SECTION 2 OF THE ACT OF OCTOBER 19, 1949, SUPRA, AND NOTATIONS ON LAND OFFICE RECORDS OF SALES BY THE FHA

107.20 Report by the Manager to the FHA. (a) When this Bureau is notified by the FHA in accordance with the last paragraph of the Memorandum of Understanding that it is preparing to sell a tract of land under Section 2 of the Act of October 19, 1949 supra, where no homestead or reclamation homestead entry had been allowed for the land within one year from the date of cancellation(the date the case was closed) or relinquishment of a former homestead or reclamation homestead entry for the same land, which is subject to a mortgage held by the United States acting through the Department of Agriculture (FHA), the Manager will immediately make a special request to the Geological Survey by air mail for a mineral report as of the date of the end of the one year period referred to in this section.

(b) Upon the receipt of the mineral report the Manager will immediately notify the FHA by air mail or other fast communication of the mineral reservations to the United States, if any, and any other

reservations and rights-of-way as of the date of the end of the one year period mentioned above which would affect the proposed sale by the FHA and the patenting of the land. The report of the FHA should set out the kinds of minerals, other reservations, rights-of-way, description of the land affected thereby, and the laws under which made.

107.21 Notations on the land office records of the sale of lands by the FHA. The Manager will make the proper notations on the records of his office when he has received information that the land has been sold by the FHA, including a reference to the terms and conditions of the sale, and the FHA has requested the issuance of a patent by this Bureau in the name of the purchaser. (Paragraph 8 of Part V of the Memorandum of Understanding).

## ISSUANCE OF CERTIFICATES AND NOTIFICATION OF ISSUANCE OF PATENT

107.22 Issuance of certificates on homestead and reclamation homestead entries for lands subject to a mortgage held by the United States acting through the Department of Agriculture. (a) Where a certificate is issued by the Manager on a homestead or a reclamation homestead entry for land subject to a mortgage held by the United States acting through the Department of Agriculture (FHA), the Manager shall note on the certificate in addition to the other proper notations, the following reservation:

> "Subject to the rights of the United States under the act of October 19, 1949 (63 Stat. 883) and a certain mortgage or deed of trust executed by
> ______________________________ and
>
> ______________________________ under date
>
> of ____________________, 19___, recorded in Book
>
> ______________, Page ______ of the records of the Recorder
>
> of Deeds for ______________, County, ______________
> and not in derogation or release of said rights."

Appropriate changes will be made to show the proper title of the recording officer, or in Alaska, if no county is involved.

(b) When a patent is to be issued to a person other than the mortgagor, there shall be inserted in the notation by the Manager

after the recital of recordation of the mortgage the following words:

"which the patentee assumes and agrees to pay,"

(Paragraphs 3 and 4 of Part III of the Memorandum of Understanding).

107.23 Issuance of cash certificates on sales of lands by the FHA. The Manager will issue cash certificates on sales of lands by the FHA by modifying the cash certificate form to meet the circumstances and transmit the record with a complete status report to the Washington office without approving the sale for patenting.

107.24 Notations on cash certificates on sales made by the FHA. (a) The Manager will note on a cash certificate the usual reservation for ditches and canals under the act of August 30, 1890 (26 Stat. 391) for lands west of the 100th Meridian, and rights-of-way to which the land is subject, and any other reservations including mineral that would be required under the law. (see section 107.20 hereof).

(b) If the land sold by the FHA is subject to a mortgage held by the United States acting through the Department of Agriculture (FHA), the Manager will also note on the certificate the above-quoted reservation under section 107.22(a) hereof, and the above-quoted words under section 107.22(b) hereof if the latter is applicable.

(c) If the sale by the FHA is for cash and the United States acting through the Department of Agriculture (FHA) does not hold a mortgage lien against the land sold, the act of October 19, 1949 (63 Stat. 883) should be noted on the certificate. (Paragraphs 3 and 4 of Part III, and Paragraph 8 of Part V of the Memorandum of Understanding).

107.25 Notifications of patent issued. The Manager will notify the State Director of the FHA, and also the Regional Director of the Bureau of Reclamation if the land is in a Reclamation project; that the patent has been issued and mailed to the patentee. (Paragraph 5 of Part III of the Memorandum of Understanding).

B.L.M. Order, [illegible] 14, 19[illegible]

Acting Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AMP

ORDERS
BUREAU
Incentive Awards Comm.

ORDER NO. 432 JAN 22 1951 ~~JAN 21 1951~~

Subject: Bureau Incentive Awards Committee

Departmental Order No. 2604 establishes the organization necessary to carry out the Department Incentive Awards Program. This program provides direction and supervision for the granting of the following awards to all employees potentially eligible for such awards:

A. Cash awards for
  1. Suggestions
  2. Inventions resulting in operating improvements
  3. Efficiency
    (1) Individual
    (2) Group

B. Salary increase awards for
  1. Efficiency
  2. Superior accomplishment

C. Honor awards for service that has been
  1. Distinguished
  2. Meritorious
  3. Commendable

The former Bureau Suggestions Committee is hereby abolished.

The following Bureau Committee is hereby appointed to carry out the provisions of Order 2604. All the records pertinent to this work are transferred from their present organizational units to the committee.

James A. Barr, Chairman
Edgar B. Carroll
Milton W. Reid

Associate Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO: /

AMP

ORDERS
BUREAU
Land and Survey Offic

ORDER NO. 433

MAR 6 - 1951

Order No. 415, dated March 1, 1950, consolidating certain Land Offices and Survey Offices in Regions I, II, III, IV and V, is amended to include the following office which will hereafter be operated as a consolidated "Land and Survey Office" in accordance with Secretary's Order No. 2549 of December 16, 1949.

| State | Region | Address |
|---|---|---|
| Colorado | IV | Room 341<br>New Customhouse Building Denver |

Marion Clawson

Director

Distribution:

L-1 Mailing List
Washington Division and Branch Chiefs
Region VI - 6 copies

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

"AD:LTM"
ADMINISTRATION
Manual
Revision

Order No. 434

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

MAR 9 - 1951

## PART 181--SMALL TRACT

## ACT OF JUNE 1, 1938, AS AMENDED JULY 14, 1945

Part 181 containing the step by step procedure to be followed in adjudicating applications under the Act of June 1, 1938 (52 Stat., 609), as amended July 14, 1945 (59 Stat., 467; 43 U.S.C., 682a) is amended to read as follows:

Section 181.1 Statutory Authority. The act of June 1, 1938 (52 Stat., 609), as amended July 14, 1945 (59 Stat., 467; 43 U.S.C. 682a), authorizes the Secretary to lease or sell up to 5 acres of land for small tract purposes.

Sec. 181.2 Number of copies of offer to lease. Offer to lease must be filed in duplicate on Form 4-776 if for purposes other than business, and in triplicate if for business purposes. A $10 filing fee is required with each offer to lease. Each offer to lease must be accompanied by advance rental as required by 43 CFR 257.10(b). If the rental provided for in a subsequent classification order is greater than the rental payment accompanying the offer the deficiency must be paid before the lease is issued.

If the offer to lease is not properly executed or is not accompanied by the required fee and rental or is otherwise irregular, it shall not be accepted but returned to the offeror in the form received.

If the Regional Administrator has determined that a special drawing procedure is necessary, an applicant must file a drawing entry card - Form 4-775. No filing fee or rental is required in connection with the drawing entry card. However, the successful applicants will be required to file the offer to lease Form 4-776 together with a $10 filing fee and the advance rental as required by 43 CFR 257.10(b).

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C-260 – 3/9/51
Dist - 2 - 1 manual holders

Sec. 181.3 Action on receipt of offer. The offer to lease will be given a serial number, noted on the records and status of the land obtained. Serial register sheets will be prepared in duplicate.

If the lands have already been classified under the small tract law, the offer shall be executed by the Manager if all else is regular. The advance rental and filing fee shall be earned when the lease is issued.

If the land has not been classified, a copy of the offer together with a copy of the status report will be sent to the Regional Office for appropriate classification. The copy of the offer must be returned by the Regional Office when classification is completed. A copy of the serial register shall be sent to the Director, United States Geological Survey for a report as to the mineral and water resources of the lands, and whether the disposal of the surface would unreasonably interfere with current or contemplated mineral leasing operations under the Mineral Leasing Acts. If the report from the Geological Survey is not favorable, it should be promptly transmitted to the Regional Administrator for consideration.

Sec. 181.4 Restrictions on lease. Generally no person is permitted to hold more than one tract under the act. If a person desires more than one tract, separate offers to lease must be filed accompanied by a showing as to the need for more than one tract. The Manager shall refer such cases to the Regional Administrator for consideration and report.

Sec. 181.5 Action by Manager when notified of contemplated area classification. Upon receipt of a notice from the Regional Administrator that an area is being considered for classification, the Manager shall make appropriate notations on the records and promptly inform ~~advise~~ the Regional Administrator as to the time and date of such notation. ~~thereof~~. The Manager shall hold in his office all applications thereafter filed for lands in the area pending the outcome of the proposed classification.

LTM

LTM

Sec. 181.6 Action by Manager upon classification by the Regional Administrator. Upon receipt of the Regional Administrator's classification, the Manager will (1) if the classification is adverse, render a decision rejecting the application subject to the right of appeal; and (2) if the classification is favorable, he will execute the leases if all else be regular. Before executing any leases, the Manager shall complete item 3 of the lease form. If the land has been classified for lease and sale, the value of the land also must be inserted. The Manager also must insert the term and effective date of the lease. The terms of the classification order shall be complied with as regards veterans' preference if applicable. Leases on lands classified for lease only may be issued for a period not exceeding 5 years and leases on lands classified for lease and sale for a period not exceeding 3 years.

Sec. 181.7 Action by Manager on receipt of application to purchase. An application to purchase must be filed in duplicate on Form 4-775a not earlier than 30 days prior to the expiration of one year from the date of the issuance of the lease. Upon receipt of such application, the Manager will transmit one copy to the Regional Office for report as to acceptability of improvements. Upon receipt of the Regional report, if unfavorable, the Manager will reject the application subject to the usual right of appeal. If favorable, the Manager will require the lessee to pay the appraised price as provided in 43 CFR 257.13(c). Credit shall be allowed for advance rental as allowed in 43 CFR 257.13(a). Any application to purchase involving lands not classified for sale will be transmitted to the Regional Office for consideration. No sale shall be made until appropriate classification and appraisal has been made by the Regional Administrator.

Sec. 181.8 Issuance of cash certificate. When all payments required have been made, the Manager will issue a cash certificate, approve the case for patenting and transmit the entire record to the Director for the issuance of patent.

Sec. 181.9 Notice of expiration of lease. The Manager shall set up a card tickler system showing expiration dates of all leases covering lands classified for lease only. Six months prior to the expiration of such leases, the Manager shall give the lessee advance notice of the expiration of the lease, forwarding therewith regular offer to lease form 4-776.* The Manager shall further ~~advise~~ inform the lessee that in the event the offer of renewal is not filed within the time allowed by the regulations, the case will be closed upon expiration of the lease without further notice. It will not be necessary for the Manager to forward expiration notices to lessees of lands classified for lease and sale.

Sec. 181.10 Renewal of lease. An offer of renewal of a lease must be filed on Form 4-776 not more than 6 months or less than 60 days prior to the expiration of the lease. Upon receipt of such an offer it will be given the same number and ~~application~~ if the lands were classified for lease only, the Manager may, if the lessee has complied with 43 CFR 257.14(b), execute the lease for the same period as the original lease.

If the Manager is in doubt as to the sufficiency of the improvements the matter should be forwarded to the Regional Administrator for consideration and report.

If the lands were classified lease and sale, the Manager shall reject the renewal offer unless it is accompanied by the showing required under 43 CFR 257.14(c). If such a showing is filed, the Manager

Advance rental should be required as provided in 43 CFR 257.10(b).

shall transmit one copy of the offer and showing to the Regional Office for consideration and report. If the Regional Administrator determines that the lease should not be renewed the Manager will reject the offer. If the ~~decision~~ determination is favorable, the Manager will execute the renewal lease.

If an offer of renewal lease is not filed within the time allowed by the regulations 43 CFR 257.14, the Manager shall, upon expiration of the lease, note the records of such expiration and thereafter accept offers to lease the land involved from any qualified applicant.

Sec. 181.11 Action on receipt of assignment. Assignments of small tract leases must be filed in duplicate. The Manager may approve such assignments provided substantial improvements have been placed on the leased lands and the assignee meets the requirements required by 43 CFR 257.5.

If the Manager is in doubt as to the sufficiency of the improvements the matter should be forwarded to the Regional Administrator for consideration and report.

If the assignment fails to show substantial improvements have been made, it should be rejected. Any showing as to failure to erect improvements shall be referred to the Regional Administrator for appropriate action.

Sec. 181.12 Action on applications filed prior to November 11, 1950. Upon receipt of a favorable classification affecting applications filed prior to November 11, 1950, the Manager shall send the combination application and offer to lease (Form 4-776) to the applicant by registered mail with an appropriate decision allowing 30 days within which to complete the forms and pay any required rental, failing in which the application shall be rejected without further notice. Such action will constitute an offer of lease and any filing fee paid in connection therewith should be applied as earned. The combination application and offer should not be sent to the applicant until favorable classification has been made.

(Bur Order 434, Mar 9, 19[illegible])

William Zimmerman Jr.

Assistant Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AMP

MANUAL
REVISION
Mineral Leasing-
Acquired Lands

MAR 20 1951

Order No. 435

## MANUAL OF THE
## BUREAU OF LAND MANAGEMENT

## PART 99--MINERAL LEASING, ETC.

### Acquired Lands

The following is added to Part 99:

Section 99.501 Prospecting Permits. Immediately upon issuance of a prospecting permit pursuant to the Regulations 43 CFR 200.31 et seq., the Division of Adjudication will notify the affected Accounts Section by preparing Form 4-112 in order that an appropriate account may be established.

After establishment of the account the Accounts Section will bill the permittee 60 days prior to the due date and in the event the rental is not paid advise the Division of Adjudication so that appropriate steps may be taken to cancel the permit.

Upon expiration of a permit, unless the advance rental for renewal is received prior thereto, the Accounts Section will close out the account and notify the Division of Adjudication so that the records may be properly noted. If the advance rental for renewal is received prior to the expiration of the permit the accounting section will so notify the Division of Adjudication.

When a determination is made as to the extension of a permit or when an existing permit is canceled, the Division of Adjudication will promptly forward Form 4-112 to the affected Accounts Section. If the permit is canceled Form 4-112 will indicate the effective date of the cancellation and whether the permittee is entitled to any refund.

Assistant Director

I-1 Mailing List
Wash. Manual Holders

to the Division of Adjudication. The entire record shall then be referred to the Division of Land Planning for review and recommendations concerning the classification of the lands, after which it shall be returned to the Division of Adjudication for further handling.

(c) The regional administrator shall take steps to put his recommendations into effect immediately after the restoration order is published when such action is appropriate.

Associate Director

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

AMP

MANUAL
REVISION
Withdrawals 57.130
Restorations 57.131

Order No. 436

MAR 20 1951

# MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 57--DOCUMENTS

## FEDERAL REGISTER DOCUMENTS--Continued

## PROCLAMATIONS, EXECUTIVE ORDERS, PUBLIC LAND ORDERS, ETC.--Continued

Sections 57.130 and 57.131 are amended to read as follows:

57.130 Responsibility of Bureau of Land Management and of the managers, concerning withdrawals to be prepared in Washington. (a) Upon receipt of a request for a withdrawal of land the Division of Adjudication shall prepare an acknowledgment, obtain status, request reports from other interested Federal agencies and from the regional administrator whenever feasible by means of a form memorandum, and inform the manager of the appropriate Land and Survey Office of the request.

(b) Upon receipt of notice of the proposed withdrawal, the manager shall suspend all applications to enter or lease the lands, the allowance of which is discretionary, list any oil and gas leases which would be affected by the withdrawal, and prepare notices on Form 4-243 to such lessees, except as to the insertion of the number and date of the order. The reasons for these notices are set forth in Section 99.86 of the Manual. Upon advice that the withdrawal order has been signed, the manager shall at once insert the number, if any, and date of the order in the notices, and send the notices by registered mail to the oil and gas lessees. He shall also reject all suspended applications to enter or lease the lands except those which are not affected by the withdrawal, or take other appropriate action, such as is indicated in Section 99.85 of this Manual.

(c) Upon receipt of notice of the proposed withdrawal, the regional administrator shall determine (1) if there are any conflicts with any programs of the Bureau of Land Management, (2) if the land is suitable for the purpose for which it is to be withdrawn, (3) if all of the lands to be withdrawn will actually be needed by the agency requesting the withdrawal, and (4) if

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there are suitable alternate areas in case there is a conflict with a program of the Bureau of Land Management. The regional administrator shall endeavor to reconcile any differences with the field representatives of the agency requesting the withdrawal. When time will not permit obtaining the detailed information for the recommendations, the regional administrator shall make his recommendations from the best information available. The basis upon which he is making his recommendations should be indicated. The report and recommendations of the regional administrator shall be sent as promptly as possible to the Division of Adjudication and the case record, if transmitted to him, shall be returned therewith. If the lands are in a State where there is no Land Office the appropriate regional administrator will take the action indicated in paragraph (b).

(d) Upon receipt of the field and other reports the Division of Adjudication shall review the case and be responsible for resolving any conflicts or differences of opinion existing between any other bureaus or agencies or divisions within the Bureau. The Division of Adjudication shall take the initiative in clearing the case with the Director's Office where policy determinations are required, in conjunction with the proper operating divisions and the Division of Land Planning. It will refer questions relating to the adequacy or the interpretation of reports involving the classification and use of the land to the Division of Land Planning. After agreement has been reached on all problems raised the Division of Adjudication will prepare the appropriate withdrawal order, accompanying memoranda and letters, and process the withdrawal to its conclusion.

(e) If the request for withdrawal is denied, the regional administrator and the manager shall be advised, and appropriate action shall then be taken on the suspended applications.

57.131 Responsibility concerning restorations.

(a) Upon receipt of a request for revocation of a withdrawal, the Division of Adjudication shall prepare an acknowledgment, and unless the lands will remain in another specific withdrawal or are in a valid entry, shall request a report from the regional administrator. The Division of Adjudication shall process those cases where the lands will remain in another withdrawal or a valid entry, notifying the regional administrator of the restoration.

(b) The report submitted by the regional administrator in accordance with 57.131(a) shall contain a determination as to the use suitabilities of the land. Where it is recommended that the lands be disposed of, the report shall include a recommendation of the types of disposal that appear feasible. When appropriate it will also include the appraised value of the land and substantiating appraisal data. Where it is recommended the lands be retained in public ownership the report should contain a recommendation as to the proper type of management and the proper agency to administer the land. The case record shall be returned with this report by the regional administrator

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

ORDER NO. 437

March 28, 1951

1. Effective April 4, 1951, a Branch of Records Management in the Division of Administration is hereby established.

The Branch of Records Management will be responsible for the development, administration, coordination and staff supervision of all of the aspects of records management and microphotography in all offices of the Bureau. Such a program shall, among other things, provide for:

(1) Effective controls over the establishment, maintenance and use of the records in the conduct of current business.

(2) The development of a revised system of the basic land records.

(3) The development of standards, procedures and techniques designed to improve the management of the Bureau's records, and

(4) The maintenance and security of Bureau records deemed appropriate for preservation and to facilitate the segregation and disposal of records of temporary value.

2. The Branch of Records Management, Division of Administration is divided into three sections as follows:

(1) General Records Section. All of the records and indexes in the Branch of Mails and Files, Division of Administration are hereby transferred to this section.

(2) Records Systems and Analysis Section.

(3) Land Records Section. The Branch of Land Status, Division of Administration; the patent records and indexes relative thereto and the copy unit of the Patent Section, Division of Adjudication; the plat and field note records and indexes pertinent thereto in the Branch of Surveys, Division of Engineering are hereby transferred to this section.

An organization chart for the Branch of Records Management, Division of Administration is attached.

3. Simultaneous with this action the mails operation of the Branch of Mails and Files, Division of Administration is transferred to the Branch of Administrative Services, Division of Administration and will be known as the Communications Section.

4. All personnel, records and equipment which are a part of the old organization units affected are hereby transferred to the newly described sections. The Chief, Division of Administration is authorized to reassign personnel to staff the work units affected by this order and to initiate personnel actions to effect permanent changes.

Associate Director.

Attachment (1)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON

Order No. 438

# DELEGATION OF AUTHORITY TO THE CHIEF DIVISION OF ADMINISTRATION

Sec. 1 Copies of records. The Chief, Division of Administration, or such qualified employee of that Division as he may designate, may furnish in accordance with the applicable regulations and procedures copies and exemplifications of patents, plats and other records of the Bureau.

Sec. 2. Revocation. This order supersedes section 9 of Order No. 428 of August 16, 1950 (15 F.R. 5413), which section is hereby revoked.

Roscoe E. Bell

Associate Director

Approved: MAR 29 1951

Oscar L. Chapman
Secretary of the Interior

Revoked
Ord. #473

F.R. 4/6/51

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
151.11

Order No. 440

MAY 4 1951

# MANUAL OF THE
# BUREAU OF LAND MANAGEMENT
## PART 151 - PUBLIC SALES
## PROCEDURE IN THE LAND REGIONS

Paragraphs (c) and (d) of section 151.11 are renumbered (d) and (e) respectively, and the following is added as paragraph 151.11(c):

(c) If the application shows that the applicant is an alien individual, a partnership, a member of which is an alien, an unincorporated association, any appreciable number of the members of which are aliens, or a corporation any appreciable amount of the stock of which is held by aliens, the manager shall forward the file to the Director for submittal to the Secretary for approval of the applicant.

Paragraphs (b) and (c) of section 151.15 are renumbered (c) and (d) respectively, and the following is added as paragraph 151.15(b):

(b) If the declared purchaser is an alien, as outlined in 151.11(c), and he has not theretofore been approved in connection with the sale, the entire record in the case shall be forwarded to the Director for submittal to the Secretary for approval of the sale to the declared purchaser before the cash certificate is issued.

William Zimmerman, Jr.
Assistant Director

DEPT. OF THE INTERIOR
JUL 16 1951
BUR. OF LAND MANAGEMENT
DENVER, COLORADO

[illegible]

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington 25, D.C.

July 10, 1951

[illegible]

[illegible] Regional Administrator, Region IV, Salt Lake City, Utah

[illegible] Director, Bureau of Land Management

Subject: BLM Order No. 440 of May 4, 1951

Your memorandum of May 23 refers to an apparent error in the [illegible]

> " * * * He shall send a duplicate copy of the application to the Director."

By Order No. 440, paragraphs (c) and (d) of section 151.11 of the BLM Manual were relettered paragraphs (d) and (e) respectively, and a new paragraph (c) was added; paragraphs (b) an[illegible] C-268, to which you apparently refer, contain sections 151.11 to [illegible] procedure on public sales resulting from Order No. 440. I[illegible] remained unchanged and without considering the effect of the redelegations in BLM Order No. 427. This sentence should [illegible]

> " * * * He shall send a duplicate copy of the application to the Regional Administrator."

We are glad to know that material sent from Washington is receiving careful consideration in the field. Thank you for [illegible] this editorial error to our attention.

William Zimmerman Jr.
Associate Director

Copy to: Regional Administrators, Regions I, II, III, V, VI, and VI[illegible]
All Land and
Land and Survey Offices

May 10, 1951

Order No. 441

Subject: Delegation of authority to the Regional Administrator to request transfer of excess property.

Pursuant to Departmental Order No. 2619 of February 28, 1951, the Regional Administrator for Region VII (Alaska) is authorized to request transfers of equipment, material, and supplies, excess to the needs of Federal agencies, for use in the operations of the Bureau of Land Management in Alaska, under the provisions of Section 110 of the Interior Department Appropriation Act, 1951, and section 202 of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C., 1946, ed., Supp. III, sec. 232).

(Sgd) William Zimmerman, Jr.
Acting Director

Distribution
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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C.

Order No. 441

Subject: Delegation of authority to the Regional Administrator to request transfer of excess property.

Pursuant to Departmental Order No. 2617 of February 28, 1951, the Regional Administrator for Region VII (Alaska) is authorized to request transfers of equipment, material, and supplies, excess to the needs of Federal agencies, for use in the operations of the Bureau of Land Management in Alaska, under the provisions of section 110 of the Interior Department Appropriation Act, 1951, and section 202 of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C., 1946 ed., Supp. III, sec. 232).

Acting Director

COPY FOR CHIEF COUNSEL'S OFFICE, BLM

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

AMP

INCENTIVE AWARDS PROGRAM
LAND MANAGEMENT COMMITTEE
Alternate Members

ORDER NO 442

MAY 16 1951

Subject: Land Management Incentive Awards Committee

Miss Mary Lane and Mr. Kenneth Platt of the Washington Staff are appointed alternate members of the Land Management Incentive Awards Committee. The Chairman or Acting Chairman of the Committee will request their services in assisting to perform the work of the Committee whenever it is deemed appropriate.

William Zimmerman, Jr.

Associate Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
A

X

JUL 9 - 1951

ORDER NO. 443

Order No. 389, dated June 30, 1949, gives authority to Regional Administrators to set per diem rates within certain limitation to persons operating with their regions. Regional Administrators are therefore now issuing travel orders to district advisers, and it is within their authority to establish rates for district advisers not to exceed the $9 maximum allowed by law.

It is suggested that the rate adopted be the same as that paid to district employees when in a travel status within the district at regional headquarters or when called to a meeting place outside of the region.

This order supersedes Order No. 420, dated July 18, 1950, which set the $6 per diem rate for district advisers.

Marion Clawson

Director

## APPRAISAL OF LANDS

BLM ORDER 444 (See last page)

### Section 20.1 Purpose

The instructions in Section 20.1 to 20.11 inclusive shall be used in the valuation of land, in order to obtain a greater uniformity of appraisals in the public land states, except when other standards may be prescribed by law or regulation.

The instructions in Section 20.1 to Section 20.11 are in considerable detail and will probably be inapplicable in their entirety to the appraisal of any one tract. They have been framed to cover situations that are most commonly encountered in reference to land remaining in the public domain. It must remain discretionary, however, with the appraiser to determine the elements and evidences of value outlined in Section 20.2 and 20.3, respectively, that are of primary importance and to decide the amount of time which may be justifiably spent in developing the appraisal. It is of the utmost importance, however, that the appraiser report all the factors which he has considered in arriving at his final appraised value.

The appraised value should always reflect the actual fair market value of the land. Fair market value may be defined as the price which the land could be expected to bring in an open market transaction between a willing buyer and a willing seller, each acting free from compulsion and having knowledge of the use capabilities of the property. Fair market value should reflect the value of the property for its presently attainable highest and best use. Determination of this highest use has a direct and basic bearing on the ultimate appraised value. Also the determination of the highest use is dependent upon the proper classification of the land. In most instances the use determination will follow the use pattern in the area and may not necessarily be that contemplated in the application. In the light of the foregoing, fair market value is understood to depend upon the highest use capabilities of the land and not on ownership, current use, or similar factors.

Appraising is not an exact science. An appraisal represents the considered judgment or opinion of the appraiser and should fall within the limits of the various evidences of value that have been considered. Therefore with good judgment, possession of facts, and proper methods of procedures, it is expected that appraisals result in relatively exact findings.

Appraisals undertaken by the Bureau of Land Management are generally made in connection with an application for land under one of the numerous public land laws, the most common of which are: exchange, public sale, small tract, color of title, and for recreational purposes. The instructions for making appraisals have been prepared with the view of covering most situations generally encountered by officials making appraisals for the Bureau of Land Management.

## A. Exchange Appraisals.

1. The law governing the exchanges of revested Oregon and California Railroad Grant Lands and Reconveyed Coos Bay Wagon Road Grant Lands in Western Oregon for other lands requires the offered lands and selected lands to be approximately equal in value.
2. Section 8 of the Taylor Grazing Act requires that in private exchanges the value of selected lands shall not exceed the value of offered lands.
3. The law covering state exchanges, Section 8 of the Taylor Grazing Act, provides that these exchanges may be made on an equal value or an equal area basis.

It is the general policy of the Department that state exchanges be made on an equal value basis. It is not the intent of this policy to adapt, juggle, or distort arbitrarily any appraisals in order that results may be equalized. Often the Bureau sponsors state exchanges for the purpose of disposing of scattered parcels of land in exchange for state-owned lands, which can be blocked in or consolidated with other public domain for more effective management and administration. The administrative costs on these scattered parcels may be such as to make the exchange an economy from the standpoint of the Bureau. This administrative economy is not, however, an element of value that would add to or subtract from the market value of the land.

State exchanges are often sponsored by other Government agencies when they seek to acquire state-owned lands that lie within the boundaries of one of their projects, such as a national monument sponsored by the National Park Service, or a wildlife refuge sponsored by the Fish and Wildlife Service. The mere fact that a Government agency seeks to acquire such lands should not influence the fair market value. In connection with exchanges on an equal value basis, it should be noted that the unit value of scattered tracts may be considerably more than that found for an area as a whole.

In land exchanges the principle of equal value needs close study in appraising surrounded tracts or "land islands." Sometimes a tract of land under one ownership is surrounded by a large block of land held in another ownership. The large tract may be set aside for a special use. The tract surrounded, although it may be suitable for the special use for which the large block has been designated, may be more valuable per acre than the large block owing to the fact that it is available for other uses. Thus a tract surrounded by or adjoining a wildlife refuge may be very valuable as a site for a hunting lodge. A tract in a large forest area may be very valuable as a camp site; or a tract in or adjoining a national park may have value as a site for concessions. Tracts of a similar nature to these examples have added value primarily because of the fact that the bulk of the land in the area has been taken off the open market and restricted to a special use and the value for other uses may be concentrated in the few tracts that have not been so restricted. The appraiser should not overlook such possible uses and should make appropriate allowance for them when he finds them in existence.

When exchanges involve forest lands with young unmerchantable timber and it is determined that the production of timber is the highest use for which the land is presently suited, the young timber is an element of value that may be considered as adding to the value for forestry purposes. Such young growth should be appraised in line with actual sales records when obtainable or, in the absence of such records, by discounting future returns to be expected when it reaches merchantable size.

When exchanges of lands are believed to be in the public interest and the highest use of the selected land is determined to be for purposes other than forestry, such elements as young forest reproduction, which would add to the fair market value if the land were to be classified for forestry purposes, may be considered as detracting from the fair market value for any other purposes where the land would have to be cleared of such young growth before it could be properly used.

When exchanges of lands may involve adjustments of appraisals, the appraiser may be, say 10% high in his first estimate of the value of the selected land and say 10% low in his estimate of the value of the offered land. Review may reveal places where, in the exercise of judgment, some adjustment within the limits of the evidence may be in order which would tend to equalize the values.

Sometimes state exchange applications are initiated in order to make available an area that has been determined to have special value to the public. Difficulty may be encountered in approving these exchanges on the basis of equal value when the best appraisal evidence exclusive of the public interest, indicates that the value of the selected land exceeds the value of the offered land. In these cases the appraisal evidence for a fair market value determination should be reported and both the offered and the selected lands appraised at fair market value. If negotiations with the State fail to equalize the exchange on a market value basis, the case record should be forwarded by the Regional Administrator to the Director, with a statement indicating the special public interest in the offered or selected lands.

B. Public Sale of Isolated tracts and sales under the 2nd Proviso of the Taylor Grazing Act.

Land offered for sale shall be appraised at its fair market value. The provision in Section 14 of the Taylor Grazing Act, that "in no case shall the adjacent land-owner or owners be required to pay more than three times the appraised price", should have no effect upon determining the fair market value of the land. Applicants to purchase land at public sale are generally interviewed during the course of field examination, and often the applicant indicates that he would be willing to pay so much for the land applied for. Such a statement is not evidence of the fair market value of the land and may or may not be a fair market price for the land. The evidences of value set forth in Section 20.3 following hereunder should be used in determining fair market value for lands offered at public sale.

When several legal subdivisions are included in an appraisal the regulations require that each subdivision be appraised separately so that, in the event the land is divided among two or more parties, an equitable allocation may be made. Where the several legal subdivisions are generally similar in character, the same unit value may apply to all. When dissimilarity occurs, in accessibility, topographic features, soils, cover, or other features, the appraised values of the subdivisions should reflect these differences. The several legal subdivisions taken as a whole may have a different value than the sum total of the values of the individual subdivisions that make up the whole. (See 20.8h - Plottage or assemblage.)

C. Appraisal of Small Tracts

Small tracts shall be appraised at fair market value.

Since the regulations require that small tracts be leased and improved prior to purchase, the tracts should be appraised not later than the date of lease so that the value found will not include any enhancement due to actions of the lessee. However, appraisals made after other lands in the area have been improved should properly include such enhancement in value that has resulted from the actions on other lands.

As a maximum, where applicable data are available, the appraisal shall not exceed comparable subdivided unimproved acreage values. (It is understood, of course, that this value may be somewhat higher than unsubdivided unimproved acreage, for the reason that the very act of subdividing adds some value.)

When the tracts are substantially similar, one value shall be set for all of such tracts in a subdivision. However, where real differences in values occur in a subdivision, the tracts shall be grouped in classes according to the different values. (These differences will ordinarily be most pronounced between highway frontage lots suitable for business and the back lots within a subdivision suitable for homesites and other purposes. Distinction shall also be made because of major topographic conditions, use restrictions, and other factors which have a material bearing upon value.)

In view of the public interest in having widespread ownership of homes and site lands for the other purposes covered by the small tract law, it is the policy to make certain special requirements before the lessees may acquire the land. Accordingly, the appraisals shall be made on a conservative market-value basis.

## D. Appraisal for Color of Title

Appraisal for color of title cases, except in certain localities where special acts govern, should represent the current fair market value of the property less any enhancement in value by acts of the applicant or his predecessors in interest. For example, where the land has been cleared, drained, fenced, or otherwise improved, the value of such improvement should be deducted from the fair market value of the property, if the improvements were made by the applicant or his predecessors in interest. Sales of unimproved similar land will serve as a check in establishing this value. Factors causing enhancement in value, such as location, frontage on highways, or proximity to towns, are elements that are not deductible under color of title. When good evidences of value are obtained for similar unimproved land in the immediate locality the value thus found may be more indicative of the value of the land being appraised for color of title than by undertaking to determine the value of improvements and deducting them from the market value of the property in its current state.

Determination of Equities. After the determination of the value as outlined above, such factual information regarding existing equities should be listed for the consideration of the Regional Administrator in recommending the sales price under the color of title application.

The fact that the applicant has already paid a full-value price for the property should have no depreciating effect on the fair market value appraisal. The recording acts were enacted to protect real estate purchasers and parties to contracts. These acts require recording of instruments of conveyance, and the records serve as notice to all regarding the title that can be passed by deed. The buyer generally knows or should know of the imperfections in the title. He usually has a cause of action against the seller if the conveyance warrants the title; or a cause of action against the title or abstract company who issued his title certificate. In any event, the fact that he did not acquire a good title to the property should not influence the appraiser in his determination of fair market value.

## E. Appraisal of Lands under the Recreation Act

It is department policy that lands destined for public use should be transferred at a nominal figure. Such lands include public recreational lands. Nevertheless, lands applied for by states, counties or municipalities under the Recreational Act shall be appraised at fair market value in order that this valuation may be taken into consideration in recommending the sale price under the recreation act.

## F. Appraisal of Town Sites

1. Original Town Site. Since the recommendation for the creation of a town site carries with it a degree of speculation as to its future development, the lots should be appraised on a conservative basis. Data for determining fair market value will generally not be available for areas similar in size to town lots in the vicinity of the town site. Lot values in developed areas are not evidence of the values in undeveloped town sites. The appraiser should consider principally the probability of development in the reasonably near future and support his judgment with the best opinion evidence and other data that are available.

2. Appraisal of Town Site Additions. Fair market value appraisals on the conservative side should be supported by data on similar lots which have been most recently transferred in or near the original town site.

## Section 20.2 Elements of Value to be considered in Land Appraisals.

Appraisers shall describe those elements of value which appreciate or depreciate the present or potential utility of the property to be appraised. The most usual elements of value encountered in public land management are as follows: (a) Physical characteristics, such as topography; (b) soils, cover, climate, timber, and minerals; (c) public services, including types of roads, railways, accessibility to markets, water and power; and (d) rights and restrictions, such as appropriative and riparian water rights, zoning, special permits, and controls over the use of land by electrical, irrigation, grazing, drainage, and similar districts.

The land classification report should include all of the elements of value mentioned above which pertain to the property under appraisal. The appraiser should weigh the principal elements of value related to the property under appraisal when comparing with parcels of land upon which basic evidence has been obtained.

## Section 20.3 Evidences of Value to be considered in Land Appraisals

Among the evidences of value the following are generally considered to be sound and of the greatest help in establishing values:

A. Productivity (in yields per acre or carrying capacity) is a primary evidence of value which should be reported. However, there is less chance for error in arriving at current fair market value if productivity is recognized through sales, leases and opinions rather than directly by means of empirical formulae.

B. Sales of similar lands located in the general locality of the land under appraisal are probably the best evidence of value (see Section 20.4).

C. Assessment of similar lands (see Section 20.5).

D. Opinions of value by competent qualified persons (see Section 20.6).

E. Capitalization of rentals (see Section 20.7).

## Section 20.4 Sales Records of Similar Land

A. Secure the record of sales of similar lands in the same general location as the land under appraisal from county and other records. Only the most similar sales reflect fair market value. In addition to being similar from the standpoint of location, access, topography, cover, size, the date of the sale should be as close as possible to the date of appraisal. For example, a sale made during the depression years could not be considered as indicative of values existing under present-day conditions.

B. Obtain assessed value at the time of sale of each parcel for which a sales record is secured.

C. Verify the consideration from the grantor, grantee, or qualified third parties having personal knowledge of the transaction. The verification of the sale is important not only for the purpose of learning the true consideration, but also for the purpose of developing pertinent information concerning the transaction that does not appear in the records. Revenue stamps are misleading and should not be relied upon in determining the consideration paid, especially in low-priced property. The stamps are the same for all deeds where the consideration is between $100.00 and $500.00, and a transaction involving a $600.00 consideration will carry the same revenue stamps as if the consideration were $1,000.00. Any compulsion on the part of the grantor or grantee generally comes to light in verification of the sale, as do also any other reasons why the sale may or may not represent market value.

D. Consider and report any reasons why the sale prices do not properly reflect the value of the land under appraisal. This may be because of circumstances surrounding the sale, such as sales between relatives, wash sales and forced sales, "hold-up" prices. Some dissimilarity in the character of land should not necessarily cause the discarding of sales evidences since sales of dissimilar lands are often valuable for comparative purposes. The sale price of improved land can often be used as evidence of the value of unimproved land by deducting the estimated value of the improvements from the sale price.

E. Show any significant increase or decrease of values between the date of the sale quoted and the date of appraisal with reasons therefor.

## Section 20.5 Latest Assessments

A. Obtain the assessments for tax purposes for similar lands in the vicinity.

B. Assessment records should be checked before using them for appraisal evidence. In many areas it will be difficult to obtain sales data that will be applicable to the public lands. The local assessor for tax purposes generally follows the practice of assessing land on a proportional basis of market value and, in some states, lands are classified for tax assessment purposes. The assessor's practices in each locality should be checked with the assessor, with the opinions of local residents, and with actual sales records in the county, to determine the relationship between assessed values and current market values. Do not rely, for appraisal purposes, upon the stipulations in State laws and tax regulations concerning the proportion of the value of land that is used as the assessed value without checking.

## Section 20.6 Opinions of Value

A. Obtain opinions of value from qualified persons, especially as to similar land with which they are familiar, and also for the tract under appraisal if they are familiar with it.

B. Evaluate opinions and the influence they may have upon the determination of the appraised value. In getting opinions of value, care should be exercised in the selection of the persons to be interviewed. The opinion of an applicant to purchase should not be relied upon as good evidence of value and ordinarily should not be quoted. Generally, bankers, real estate brokers, county agents, and others dealing in or familiar with real estate transactions, will be the best posted as to market value. Real estate brokers may be somewhat optimistic, while money-lenders may give depressed values.

## Section 20.7 Capitalization of Rentals

Rentals charged for similar lands will prove helpful in establishing market value, and the lease agreement should be free from compulsion as in sales. State leases, where rentals are controlled by legislative acts, are not made with regard to use capabilities and, therefore, when capitalized, do not reflect fair market value. They may, however, be so prevalent in an area as to have a depressing effect upon market value.

Fees charged for Section 15 leases and permits in grazing districts are not based upon local market conditions and therefore are not evidence of market value. Leases between private parties offer the best lease evidence of market value when they are free from compulsion and do not include such items as priority rights to large areas of state or federal range. Before capitalizing, the gross rental should be reduced to a net rental by deducting fixed charges, such as taxes, maintenance, if any, etc., and by applying the current local interest rate for real estate, or other loans for like periods of time, to the net rental. In localities where numerous appraisals are made, the fixed charges may be found to have a great deal of uniformity. When this is determined, the fixed charges may be reduced to percentages and the rental may be capitalized on a gross basis. For example, if the going interest rate is 4 percent, the net rental would be capitalized at 4 percent. If, from the analysis of a representative number of rentals and fixed charges in a locality, it is found that the fixed charges generally amount to 3 percent of the capital value of the land, the gross rentals may be capitalized at 7 percent, and it will not be necessary to obtain the fixed charges in each case. This gross rental capitalization method should never be used until after a sufficient number of net rentals are obtained in a locality to provide reasonable assurance that the fixed charges are sufficiently uniform to permit its use.

## Section 20.8 Analysis of the data and conclusions

### A. Land

1. Consider all the elements of value possessed by the land under appraisal.

2. Consider all evidences of value of land similar to the land under appraisal.

3. Determine the degree of similarity between the land under appraisal and the similar lands upon which data has been obtained.

4. Establish by comparison a fair market value for the land under appraisal.

5. Report evaluation of all available elements and evidences of value, and include a statement in substance as follows:

"After careful analysis of all available information, I appraise the above-described land at $________."

(If more than one tract of land is involved and different values are found, the value of each tract should be indicated; or in the case of an exchange the value of both the offered land and the selected land should be stated.)

When the Land Classification Report Form No. 4-1090 is used in reporting the field examination and appraisal data, the space provided under item 15 of Summary, page 1, should be used in lieu of the above-mentioned statement.

6. Date the appraisal. As values are not static the appraisal should be made as of a specific date. The date of the examination will serve this purpose for B.L.M. appraisals.

B. Timber. Timber should be appraised separately from the land, and timber value should be based upon the going price for stumpage of the particular types involved and similarly located from the standpoint of accessibility and ease for cutting and hauling. (Where the value of the timber warrants a more detailed appraisal, the instructions for appraising timber in Section 20.56 should be followed.)

C. Irrigable lands. The probability of irrigation should be explained, especially from the standpoint of availability of water supplies, quality of water, possibilities of obtaining usable water rights, cost of water rights, cost of clearing, and similar data which will aid in substantiating the appraised value and assist in analyses of the report.

The method of appraising irrigable land by taking the value of similar lands irrigated less the cost of placing the unimproved land under irrigation, unless very carefully worked out, might result in unsound values. When possible, appraisals of irrigable land should be based upon sales data, opinions of value, and assessments of similar land.

D. Buildings and Fences. Buildings, fences and other improvements, in cases where title to the improvements will pass with the title to the land, should be appraised at their use value, which may be defined as that amount they add to the market value of the land upon which they are located. This amount may or may not necessarily be the reproduction cost depreciated.

The value of improvements shall be reported separately from the value of the land.

Improvements that are to be removed from the land should be appraised on the basis of salvage value.

Appraisals required for the purpose of reimbursing a lessee for improvements he has made on leased land, shall be made on a use value basis.

E. Site Values. Appraisers should always be careful in valuing tracts having special features such as accessibility to lakes, rivers, or other bodies of water, strategic locations along highways, special scenic views, or other special features which would add to the value of the land. Often comparable data is not available, and the weight given to some special features will largely be a matter of the appraiser's judgment.

F. Speculative Value. Speculative evidence of value should be discounted in determining fair market value. Market value contemplates the rights to future benefits derived through ownership. Where a change in land use is planned the future benefits are generally based, to some extent, upon speculation until the use has become established in the area and the benefits have been proven. Frequently a small down payment and attractive terms are offered as an inducement to buy. The appraiser should always bear in mind that his fair market value appraiser should represent cash value or the equivalent, and he should discount speculative data accordingly. The amount to discount can generally be determined through interviews with officials of local financial institutions.

G. Inflated Values. Land values are seldom static but vary considerably as do the values of most marketable property. Changing economy and the value or purchasing power of money are generally reflected in the considerations paid in real estate sales. A fair market value appraisal should reflect the fair market value at the date the appraisal is made. If the fair market value is inflated, the appraisal should include this inflation. However, it is the general policy of the department that appraisals for the purpose of transferring land to individuals or corporations should reflect full market value, but should be made on the conservative side.

H. Plottage or Assemblage. Appraisers should give consideration to plottage or assemblage value in making his determination of fair market value. Ordinarily this should not result in a difference of over approximately 10%.

Where large consolidated blocks of land are under appraisal for exchange or other disposal and the available appraisal basic data are confined to smaller areas, the unit value of the large block of land may be higher than the evidence indicates if it is capable of a higher use by virtue of its size or of more effective administration. Conversely, when the land under appraisal is a smaller parcel and cannot be effectively used independent of other land, its value may be depreciated when the basic appraisal data available covers larger areas which have independent use value.

I. Severance Damage. An act of Congress approved July 9, 1942 (56 Stat. 654) as amended May 28, 1948 (62 Stat. 277) provides:

> "That, whenever use for war or national defense purposes of the public domain or other property owned by or under the control of the United States prevents its use for grazing, persons holding grazing permits or licenses and persons whose grazing permits or licenses have been or will be cancelled because of such use shall be paid out of the funds appropriated or allocated for such project such amounts as the head of the department or agency so using the lands shall determine to be fair and reasonable for the losses suffered by such persons as a result of the use of such lands for war or national defense purposes. Such payments shall be deemed payment in full for such losses. Nothing herein contained shall be construed to create any liability not now existing against the United States. (43 U.S.C., sec. 315q)"

Recommendations must be made from time to time as to what the fair and reasonable sum referred to above may be. Should the entire ranch holding, including the base and range leasehold rights and grazing privileges be taken for a permanent installation, a fair market value appraisal should be made.

Severance damage occurs when only a part of a holding is taken in such a manner as to depreciate the unit value of the remainder. For example, if a livestock operator has a balanced unit with respect to range lands, either leased or owned, hay lands or agricultural lands for winter feed, barns, watering places, etc., and a portion of his range land is taken so that the remainder is not a balanced unit and is depreciated accordingly, severance damage is said to occur.

The most acceptable method of determining severance damage is on the basis of "before-taking" and "after-taking" appraisals. Under this method an appraisal of the entire holding is made. The appraisal should be made as of the date of taking. It would include the value of any leasehold or permit rights in land not owned that make up the operational unit. A determination should then be made of the value of the operational unit after a part has been taken. The difference between the "before-taking value" and the "after-taking value" will be the value of the land or leasehold taken plus the damage to the remainder. From this should be taken the value of the land or leasehold rights taken, and this result will be the severance damage or damage to the remainder by reason of the taking.

Section 20.9 Maps. A sketch map of the tract being appraised and the immediate vicinity should be prepared showing the approximate location of roads and other public facilities, different types of land and vegetation, fences, buildings, and any other features pertinent to the value of the tract.

Section 20.10 Basic Appraisal Data. Each office dealing in the appraisal of land and resources should maintain basic data control files. Land files should be maintained according to location, preferably by township and range. The file should be effective to the extent of making appraisal data that has been collected and verified available for the benefit of new assignments in the area. The development of appraisal control data will further prove useful in checking and keeping appraisals of the same type of land in line. The data for each locality will accumulate largely from individual tract appraisals, but should also include any general information on values that may come to the attention of the appraiser.

Section 20.11 Appraisal Review.

A. It is the intention that the most competent personnel will review appraisals. The Regional Administrator will be responsible for the review and approval of all appraisals within the region. Policy and very difficult appraisal problems will occasionally arise. When these are encountered or when the value of the public land to be disposed of is, in the judgment of the Regional Administrator, sufficiently great to justify consideration by the Director, he should refer the entire case with all substantiating data to the Director: Attention, Branch of Land Classification, for recommendations.

B. All cases containing appraisals received in the Washington office will be referred to the Branch of Land Classification for review and recommendations before they are approved by the Director.

(BLM Order 444, August 3, 1951)

# MEMORANDUM OF UNDERSTANDING

## MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF THE INTERIOR

relating to

the extending of financial assistance by the Farmers Home Administration to entrymen on public lands under the provision of Public Law 361 (81st Congress).

### I Purpose and Scope

This memorandum is for the purpose of outlining the general procedure to be followed by the Farmers Home Administration, the Bureau of Land Management, and the Bureau of Reclamation when the Farmers Home Administration extends financial assistance, within the limits of available funds, to homestead entrymen on unpatented public land, including public land in reclamation projects and in Alaska, under the provisions of title I of the Bankhead-Jones Farm Tenant Act, as amended, or the Water Facilities Act, as amended, as modified by Public Law 361 (81st Congress). Water Facilities loans will not be made in Alaska. At the earliest practical time, the Farmers Home Administration, the Bureau of Land Management and the Bureau of Reclamation will make appropriate changes in administrative regulations, procedures, and forms to carry out the provisions of Public Law 361 (81st Congress) in accordance with this agreement.

### II Loan Making

Under title I of the Bankhead-Jones Farm Tenant Act, as amended, loans may be made for the improvement or development of family-type farms, including the construction or repair of farm buildings. Under the Water Facilities Act, as amended, loans may be made for the installation of facilities to provide domestic water, for such purposes as the installation of wells or repair of farm irrigation ditches and structures and sprinkler systems, or for land leveling necessary for the efficient application of water to crops when a part of the loan will be used for the construction of farm ditches and other irrigation facilities.

A homestead entryman on public land not in a reclamation project may apply to the County Supervisor of the Farmers Home Administration for a loan under either of the above authorities when he has selected a tract of land or farming unit. The "Notification of Allowance of Entry" from the Bureau of Land Management must be attached to the application for a loan from the Farmers Home Administration.

An applicant for a homestead entry on a reclamation project likewise may apply to the County Supervisor of the Farmers Home Administration for a loan under either of the above authorities when he has received from the Bureau of Reclamation a "Certificate of Eligibility" and has selected a farm. A copy of

MEMORANDUM OF UNDERSTANDING (Continued)

Page 2

the "Certificate of Eligibility" must be attached to the application for a loan from the Farmers Home Administration unless the farm unit has been entered, in which case the "Notification of Allowance of Entry" will be attached to the application for a loan.

Upon filing the application for a loan from the Farmers Home Administration, the applicant will be requested to furnish written authorization to the County Supervisor (Area Supervisor in Alaska) of the Farmers Home Administration to allow him to secure from the Bureau of Land Management or the Bureau of Reclamation any available information concerning his application for a homestead entry. Upon written request from the County Supervisor of the Farmers Home Administration, the Superintendent of the Reclamation Project or the Manager of the District Land Office if the Bureau of Reclamation is not involved, will make such information available to the Farmers Home Administration provided that a copy of the written authorization from the applicant is attached to the request. Such information may be used by the County Committee of the Farmers Home Administration in determining eligibility of the applicant for a loan from the Farmers Home Administration. Information of this character may be available locally for those entrymen who have resided for several years in the same general vicinity in which the County Committeemen reside. In such cases the County Supervisor of the Farmers Home Administration may find that it is not necessary to request information from the Bureau of Land Management or the Bureau of Reclamation. The Farmers Home Administration will treat as strictly confidential any information furnished.

A proper understanding will be reached with each entryman who applies for a loan from the Farmers Home Administration with respect to his obligations in connection with such a loan. Each application for such a loan filed by an entryman will be processed in substantially the same manner as other applications of a similar character, including the preparation of the loan docket, certifications by the County Committee, and approval by the duly authorized loan approving official. A copy of the "Notification of Allowance of Entry" will be required in the loan docket before a loan is closed.

When a loan is to be made to an entryman whose farm is located on a reclamation project, the "Farm Development" or "Irrigation Water Facilities Plan" for that farm unit shall be consistent with the over-all reclamation plans for project development. As soon as an entryman's "Farm Development" or "Water Facilities Plan" involving the leveling of land and the installation of farm distribution and surface drainage systems has been prepared, a copy will be sent to the Superintendent of the Reclamation Project. If this plan conflicts with the over-all reclamation plans for project development, Reclamation officials will contact the Farmers Home Administration County Supervisor to eliminate such conflict.

Upon closing of a loan to an entryman, the County Supervisor of the Farmers Home Administration will send copies of the real estate mortgage and the "Farm Development Plan" or the "Water Facilities Plan," whichever is applicable, to

MEMORANDUM OF UNDERSTANDING (Continued)

the Manager of the District Land Office, and to the Superintendent of the Reclamation Project if the entryman-borrower's farm is located on a reclamation project. If a "Farm Development Plan" or "Water Facilities Plan" was sent to the Superintendent of the Reclamation Project in fulfilment of the requirements of the preceding paragraph, it will be unnecessary to send a copy of such plan when the loan is closed. The County Supervisor of the Farmers Home Administration will indicate on the mortgage the date such instrument was filed for record and the entryman's homestead serial number. Copies of these instruments will serve as notification to the Bureau of Land Management or the Bureau of Reclamation that a loan has been made by the Farmers Home Administration, and may be used in connection with the servicing of such loans as indicated herein.

## III Loan Servicing

All land development, the installation of water facilities, and the repair or construction of buildings financed with the proceeds of loans extended by the Farmers Home Administration will be accomplished under the direction and supervision of the Farmers Home Administration. The relations of each of the interested agencies to the entryman-borrower shall be governed by existing agreements or regulations, except for the following:

If the entryman-borrower repays his indebtedness in full to the Farmers Home Administration before a patent is issued to him by the Bureau of Land Management, the County Supervisor of the Farmers Home Administration will promptly notify the Manager of the District Land Office of the Bureau of Land Management of the release of the mortgage lien.

When Final Homestead Proof or Homestead Proof and Reclamation Proof submitted by an entryman-borrower is accepted by the Bureau of Land Management and a patent is issued before the Bureau of Land Management is notified of the full repayment of the indebtedness to the Farmers Home Administration, the patent issued will make reference to the Farmers Home Administration mortgage as follows:

> "This patent is issued subject to the rights of the United States under a certain mortgage or deed of trust executed by __________ ________________________ and ______________________________, under date of ____________, 19___, recorded in Book ___________, Page ___________ of the records of the Recorder of Deeds for ____ _______________ County, ________________, and not in derogation or release of said rights."

In such cases, if the patent is issued to a person other than the mortgagor or the purchaser at foreclosure of the mortgage, there shall also be inserted after the recital of recordation of the mortgage the following words: "which the patentee assumes and agrees to pay,".

MEMORANDUM OF UNDERSTANDING (Continued)

Page 4

Upon issuance of the patent to the entryman-borrower, the Manager of the District Land Office of the Bureau of Land Management will notify the State Director of the Farmers Home Administration that the patent has been issued and mailed to the entryman-borrower. Upon such notification, the County Supervisor of the Farmers Home Administration will advise the entryman-borrower to record the patent promptly in the real estate records in the county in which his farm is located, and will check the records to determine that the recordation has been accomplished. The issuance of the patent will terminate any further relationship between the Bureau of Land Management and the Farmers Home Administration insofar as the entryman-borrower is concerned.

In the event that an entryman-borrower has not submitted Final Proof within the statutory period from the date of allowance of his entry, the Bureau of Land Management will send to the County Supervisor of the Farmers Home Administration a copy of the Notice of Expiration of the statutory period of entry when it is mailed to the entryman-borrower. The copy of the notification will be used by the County Supervisor of the Farmers Home Administration in urging the entryman-borrower to submit Final Proof with appropriate explanation of his failure to do so before the expiration of the statutory period.

## IV Defaults

When an entryman-borrower is in default in the terms of his mortgage to the Farmers Home Administration, in complying with requirements to obtain a patent, or in meeting the requirements to make reclamation proof, the following procedures will apply:

Default on Mortgage. The Bureau of Land Management will cancel any entry upon which there is a Farmers Home Administration mortgage lien when so requested in writing by the State Director of the Farmers Home Administration. The Farmers Home Administration may request a cancellation whenever any default occurs in the terms, conditions, covenants or obligations contained in the mortgage. Included among the terms, conditions, covenants, and obligations in the mortgage taken by the Farmers Home Administration will be the provision that the entryman-borrower must comply with the legal and administrative regulations for the issuance of a patent and, if the entry is located in a reclamation project, with the legal and administrative regulations for making reclamation proof. The State Director of the Farmers Home Administration will furnish the Manager of the Land Office of the Bureau of Land Management with an explanation of the need for cancellation. When the entry is located in a reclamation project, the State Director of the Farmers Home Administration will also notify the Bureau of Reclamation Regional Director of such intention with an explanation of the need for cancellation. The Bureau of Reclamation Regional Director may request the State Director of the Farmers Home Administration to reconsider the necessity for cancellation of the entry when: The Bureau of Reclamation can furnish information which may not have been considered by the Farmers Home Administration; there is an outstanding

MEMORANDUM OF UNDERSTANDING (Continued)

contract between the Bureau of Reclamation and the entryman-borrower for the repayment of charges for land leveling; or the entryman-borrower has not made reclamation proof. If such a request is made, a copy will be furnished to the Bureau of Land Management which shall suspend action on the Farmers Home Administration request until further notified by the Farmers Home Administration. Ordinarily, the Bureau of Reclamation will not request a reconsideration of the necessity for cancellation unless there appears to be a reasonable basis upon which a solution can be worked out so that the entryman-borrower may retain possession of his farm unit. If the Bureau of Reclamation does not request the State Director of the Farmers Home Administration to reconsider his intention to cancel within thirty days, the Bureau of Land Management will cancel the entry. If the Bureau of Reclamation requests a reconsideration of the intention to cancel, it will furnish the State Director of the Farmers Home Administration immediately new information which it believes should be considered by the Farmers Home Administration in reaching a decision. When the Farmers Home Administration has reached a final decision, it will notify the Bureau of Land Management and the Bureau of Reclamation of the decision reached. Within thirty days after receiving a request from the State Director of the Farmers Home Administration for cancellation, or in the event the Bureau of Reclamation requests reconsideration, after receiving notice of the final decision of the State Director of the Farmers Home Administration, the Bureau of Land Management will notify the entryman-borrower of the cancellation of his entry in accordance with the usual procedure. A copy of the notice of the cancellation will be mailed to the State Director of the Farmers Home Administration at the same time.

Default in Meeting Entry Requirements. If the Bureau of Land Management proposes to take any action toward cancellation of an entryman-borrower's entry, it will notify the State Director of the Farmers Home Administration (and the Bureau of Reclamation Regional Director, if the entryman's farm is located in a reclamation project) in writing at least thirty days before any action is commenced. The notification will be accompanied by an explanation as to why cancellation will be made. Within the thirty-day period either or both the Farmers Home Administration and the Bureau of Reclamation may present any new information for the consideration of the Bureau of Land Management in reaching a decision to, or not to, cancel the entry. When the Bureau of Land Management has reached a final decision, it will inform the State Director of the Farmers Home Administration and the Bureau of Reclamation Regional Director.

Default in Meeting Reclamation Requirements. In the event the Bureau of Reclamation intends to recommend cancellation of a borrower's entry, the Superintendent of the Reclamation Project will notify the State Director of the Farmers Home Administration in writing at least thirty days before such recommendation is to be submitted to the Bureau of Land Management for cancellation. The notification will be accompanied by an explanation as to why cancellation of entry is to be requested. The Farmers Home Administration

MEMORANDUM OF UNDERSTANDING (Continued)

may request a reconsideration of the Bureau of Reclamation's intended recommendation to cancel within the thirty-day period and will furnish any new information which it believes should be considered by the Bureau of Reclamation when reaching a final decision. When the Bureau of Reclamation has reached a final decision, it will notify the State Director of the Farmers Home Administration.

### V Disposal of Farm Units After Cancellation or Relinquishment

After cancellation or relinquishment of an entry upon land on which the Farmers Home Administration holds a mortgage lien, such land shall be opened to reentry only to persons eligible for an original entry and an original loan. Any unit disposed of hereunder shall be subject to the outstanding balance of any amounts due the Farmers Home Administration, or in the event the farm unit is located within a reclamation project, the amount of outstanding balance to be assumed by a subsequent entryman shall be determined by the Farmers Home Administration and the Bureau of Reclamation on the basis of the long-time earning capacity value of the land.

Disposal of Units Within a Reclamation Project. As soon as possible after cancellation or relinquishment, the Farmers Home Administration will make an appraisal of the long-time earning capacity value of the land and will report its findings to the Bureau of Reclamation on appropriate Farmers Home Administration appraisal forms. The State Director of the Farmers Home Administration and the Bureau of Reclamation Regional Director will, as soon as possible after mailing the report to the Bureau of Reclamation, jointly participate in determining the amount of indebtedness due the United States which shall be required in accordance with existing law to be paid and the terms under which repayment will be made.

The Bureau of Reclamation will, thereafter, for that particular farm unit, proceed to inform the public of the availability of the unit in accordance with its established procedures. However, before the Bureau of Reclamation issues a "Certificate of Eligibility" to any applicant for reentry, it will submit to the Farmers Home Administration County Supervisor (a) a list of the names of the applicants who can qualify for a "Certificate of Eligibility" and the order in which such applicants shall be considered and (b) the information submitted by each of the qualified applicants in support of their applications for the homestead entry. The Farmers Home Administration County Supervisor and the Farmers Home Administration County Committee will examine the list and the information to determine which of the applicants are eligible for an initial Farmers Home Administration loan. The list and any documentary information furnished will be returned with a written statement setting forth the names in the list which are eligible for Farmers Home Administration assistance. Upon receiving such information from the Farmers Home Administration, the Bureau of Reclamation will proceed to select, in accordance with established procedures, from among the applicants determined to be eligible for a "Certificate of Eligibility" and an initial loan, one applicant and not to exceed two alternate

MEMORANDUM OF UNDERSTANDING (Continued)

applicants to whom the unit may be awarded upon qualifying to assume the indebtedness. The Bureau of Reclamation will issue a "Certificate of Eligibility" to the person who qualified when so notified in writing by the Farmers Home Administration. The "Certificate of Eligibility" will be sent to the Farmers Home Administration County Supervisor who will instruct the person to file his "Certificate of Eligibility" and application for entry with the District Manager of the Bureau of Land Management who will issue a "Notification of Allowance of Entry" if qualified to make entry. The applicant will be allowed to occupy the farm unit when he has received the "Notification of Allowance of Entry" and has completed arrangements to assume the required amount of indebtedness due the Farmers Home Administration. The Farmers Home Administration will send a copy of the assumption agreement and mortgage, if any, executed by the new occupant to the Bureau of Reclamation and the District Manager of the Bureau of Land Management.

If the loan was made under the Water Facilities Act, the Farmers Home Administration may permit an eligible person to whom the unit is awarded to assume that part of the indebtedness determined to be within the long-time earning capacity of the land or pay cash in full.

Disposal of Units Not Within a Reclamation Project. As soon as possible after cancellation or relinquishment, the Farmers Home Administration will make an appraisal of the long-time earning capacity value of the land and will report its findings to the Bureau of Land Management on appropriate Farmers Home Administration appraisal forms. The State Director of the Farmers Home Administration and the Regional Administrator of the Bureau of Land Management will, as soon as possible after mailing the report to the Bureau of Land Management, jointly determine what amount of indebtedness due the United States for Farmers Home Administration loans shall be required to be paid by the new entryman.

Thereafter, the Farmers Home Administration will, for that particular farm unit, select an applicant for the unit who can qualify for an initial loan and has not exercised his homestead rights. In the event, however, applications are made to the Bureau of Land Management for reentry, the Bureau of Land Management will refer such applicants to the Farmers Home Administration. The Farmers Home Administration will direct the applicant selected to file an application for entry with the District Manager of the Bureau of Land Management. The District Manager will, within ten days after the application is filed, issue and mail by registered letter a "Notification of Allowance of Entry" or a notice of rejection to the applicant. A copy of appropriate notice will be mailed to the State Director of the Farmers Home Administration. Upon receipt of the "Notification of Allowance of Entry" by the applicant, the Farmers Home Administration will instruct him to occupy the farm unit and will complete arrangements for him to assume the indebtedness or the part thereof determined to be within the long-time earning capacity value of the farm. The Farmers Home Administration will send a copy of the assumption agreement and the mortgage, if any, executed by the new occupant to the District Manager of the Bureau of Land Management.

MEMORANDUM OF UNDERSTANDING (Continued)

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Disposal of Units by Farmers Home Administration. In the event an entry on which there is a Farmers Home Administration mortgage lien is cancelled, relinquished, or abandoned and a new entryman satisfactory to the Bureau of Reclamation or the Bureau of Land Management and the Farmers Home Administration cannot be found within thirty days to occupy the farm unit, the Farmers Home Administration may arrange for a custodian. His duties shall include the protection of buildings and facilities from molestation and the cultivation and harvesting of crops if any be growing. Any custodian fees shall be charged to the Farmers Home Administration account of the entryman-borrower.

If no entry is allowed within one year after cancellation or relinquishment of a prior entry on which the Farmers Home Administration holds a mortgage lien, the Farmers Home Administration will dispose of the farm unit on terms consistent with the provisions of Section 43(d) of the Bankhead-Jones Farm Tenant Act, as amended, for the satisfaction of the indebtedness secured by the mortgage. Under Section 43(d), farm units may be disposed of at public or private sale after public notice at the best price obtainable for cash or on secured credit with an initial cash payment of at least twenty percent of the sales price and the remainder to be paid in equal annual installments with a term not to exceed five years. If the farm is located on a reclamation project, such disposition shall be subject, however, to outstanding reclamation charges on the land due the United States. When the Farmers Home Administration prepares to sell the land pursuant to Section 2 of Public Law 361, it will so notify the Bureau of Land Management and the Bureau of Reclamation if that agency is involved. The Bureau of Reclamation will furnish, as soon as possible to the Farmers Home Administration, information concerning any outstanding charges on the land due the United States. When the Farmers Home Administration has selected a purchaser, it will furnish the Bureau of Land Management information concerning the amount of the indebtedness to be paid by the purchaser and will request the Bureau of Land Management to issue a patent to the purchaser. The sale may be for cash or on credit. In the event the sale is on credit, the Farmers Home Administration will furnish a copy of the mortgage to the Bureau of Land Management which shall make reference in any patent issued thereafter to the outstanding mortgage lien of the Farmers Home Administration on the land due or to become due the United States.

Approved S/ A. J. Loveland Date: February 17, 1950
Acting Secretary of the Department of Agriculture

Approved S/ Oscar L. Chapman Date: March 25, 1950
Secretary of the Department of the Interior

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

August 1, 1951

ORDER NO. 119

Initial responsibility for the new Standard Filing System for Correspondence Records, including its applicability, operation, and revision, is hereby placed in the Branch of Records Management.

In order to assist the Branch in this responsibility a permanent committee of three to act in an advisory capacity is established as follows:

Amy H. Snyder, Chairman
Lewis Miller
O'Dell Child

All comments, requests for revisions, and other applicable matters (both Washington and field) should first be referred to the committee for consideration and recommendation. The Chief, Branch of Records Management will then review the recommendation of the committee and recommend final action to be taken by the Chief, Division of Administration.

This order rescinds BLM Order No. 116, dated March 1, 1950.

Marion Clawson

Director

Distribution:

Washington Division and Branch Chiefs
Regional Administrators (10 copies)

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

August 1, 1951

ORDER NO. 445

Initial responsibility for the new Standard Filing System for Correspondence Records, including its applicability, operation, and revision, is hereby placed in the Branch of Records Management.

In order to assist the Branch in this responsibility a permanent committee of three to act in an advisory capacity is established as follows:

Amy H. Snyder, Chairman
Lewis Miller
O'Dell Child

All comments, requests for revisions, and other applicable matters (both Washington and field) should first be referred to the committee for consideration and recommendation. The Chief, Branch of Records Management will then review the recommendation of the committee and recommend final action to be taken by the Chief, Division of Administration.

This order rescinds BLM Order No. 416, dated March 1, 1950.

Director

Distribution:

Washington Division and Branch Chiefs
Regional Administrators (10 copies)

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

AUG 8 [illegible]

ORDER NO. 446

Subject: Partial revocation of Order No. 362

Effective at the close of business August 15 that portion of B.L.M. Order No. 362, dated January 5, 1949, transferring the functions handled by the correspondence section, Division of Administration to the jurisdiction of the Information Office and assigning specifice personnel to that office will be revoked.

The correspondence transferred to the Information Office under Order No. 362 will, after August 15, be handled as follows:

1. All general correspondence relating to matters under the jurisdiction of Region VI will be sent there for handling. NOTE: All Congressional mail and correspondence referring to specific cases under the jurisdiction of Region VI will continue to be sent there.

2. All correspondence requiring status of lands under the jurisdiction of Region VI will be sent to the Land Records Section. Replys to simple requests for status will be prepared in that section. Correspondence requiring information in addition to status will be routed from Land Records Section to Region VI for reply.

3. Correspondence pertinent to matters handled by the Bureau in Washington and requiring status will be sent to the Land Records Section for status and then to the appropriate office in the Bureau.

4. All correspondence requiring information contained in records now in Archives, will be sent there for reply and the correspondent advised by postal.

5. All correspondence about matters in states having field offices will be sent to the appropriate field office for reply and the correspondent advised by postal.

6. All correspondence requesting bulletins, circulars, forms or other types of informational material or that can be answered by such material will be handled in the Communications Center. The employee assigned to handle this phase of the work will address and stuff the envelopes.

7. All correspondence not specified above but covering matters handled by the Bureau in Washington will be sent to the appropriate office in the Bureau for reply.

Marion Clawson

Director

UNITED STATES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Washington 25, D. C.

August 24, 1951

ORDER NO. 447

Participants in the third annual Squaw Butte Training Conference, to be held in September, 1951, will receive the normal per diem rates for travel periods from their headquarters to the conference and return. However, during attendance at Squaw Butte it has been administratively determined that per diem at the rate of $6.00 will be allowed in lieu of subsistence and no deduction will be made for such quarters as are provided. The $6.00 rate will apply for each day in attendance from September 6 through September 20, with the exception of Wednesday, September 12. Those in attendance on September 12 will receive the normal per diem rate for that day, since they will be away from Squaw Butte and will have to obtain private accomodations for the night.

A private mess will be conducted at the Station for the duration of the meeting. Payment should be made to the Conference Treasurer upon arrival.

Travel orders shall clearly indicate the above per diem rates and conditions in order to avoid exceptions or deductions from per diem vouchers as the result of audit.

Marion Clawson

Director

Distribution: 2 to each
DC Div. Chief
10 each RO
1 Mrs. Snyder
1 Mr. Rush

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

ADL:ML

Order No. 448

SEP 10 1951

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

Part 63—Federal Power Act

Withdrawals and Restorations

Part 63 is completely revised, as shown by the attachment.

William [illegible]
Acting Director

Attachment

ADL:LSH

Order No. 449

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

## Part 9 - AIRPORTS AND AVIATION FIELDS

Part 9 is hereby revoked. The authority for acting in airport matters is fully set out in Appendix D--Delegation of Authority.

Marion Clawson

Director

Distribution: L-1
Washington Manual Holders

5739

UNITED STATES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Washington 25, D. C.

September 10, 1951

ORDER NO. 450

Order No. 447, dated August 24, 1951, is hereby modified to provide for an allowance of a per diem in lieu of subsistence at the normal per diem rate authorized for other regular travel beginning on September 12, 1951, for travel from Squaw Butte, Oregon, to Madras, Oregon and return for the participants in the Squaw Butte Conference.

Marion Clawson

Director

Distribution: 2 to each
DC Div. Chief
10 each RO
1 Mrs. Snyder
1 Mr. Rush

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

Revised 2-1-54

November 12, 1951.

ORDER NO. 451

Pursuant to changes in Bureau organization approved by the Secretary the following actions are taken, effective November 12.

1. The Division of Adjudication and the Division of Land Planning are abolished.

2. The following organizational segments are established:

   (1) A Division of Minerals whose function is to initiate, administer and develop a program governing the use and disposal of Federally owned or controlled minerals.

   (2) A Division of Lands whose function is to formulate legislation, policies, procedures, and regulations for promoting the availability of public lands and their multiple public use.

      (a) A Branch of Research and Analysis whose function is to develop and execute plans for compiling an inventory of federally owned lands to indicate the acreage in the various categories and supervise or conduct studies to determine the proper economic use of the land taking into consideration all related factors.

      (b) A Branch of Land Classification whose function is to develop policies, rules and regulations governing the use-classification of the public lands both under individual applications and on an area basis in order to obtain their proper economic development and exercise technical supervision over the classification of all lands covered by specific applications where such classifications are necessary.

      (c) A Branch of Land Use and Disposal whose function is to develop policies, rules, and regulations governing the use and disposal of the public lands and make determinations involving use and disposal.

      (d) A Branch of International Assistance whose function is to formulate policies, plans, rules, and regulations governing the participation of the Bureau with respect to International activities, including the technical assistance ("Point Four") program.

[illegible] Identification Symbols Abolished. The following identification symbols are abolished:

Division of Adjudication - AD

Branch of Land Use and Disposal - ADL
Branch of Minerals - ADM
Patent Section - ADP

Division of Land Planning - L

Branch of Land Classification - LC
Branch of Research and Program Analysis - [illegible]

[illegible] New Identification Symbols. The following identification symbols are assigned:

Division of Minerals - M

Division of Lands - L
Branch of Land Use and Disposal - LUD
Branch of Research and Analysis - LRA
Branch of Land Classification - LC
Branch of International Assistance - LIA

Patent Section - LP

[illegible] The Official Organization Handbook will be amended to reflect the change in organization. This amendment will be published in the Federal Register.

Acting Director.

DISTRIBUTION:

Regional Administrators
Washington, Desk to Desk
T.A.Tims, 5547, 25 copies

(See note following sec. 63.7).

63.3 Determinations by Federal Power Commission under section 24 of the Federal Power Act; procedure. Upon a determination by the Federal Power Commission that public lands so withdrawn, classified, or reserved may be restored subject to the provisions of section 24 of the Federal Power Act, as amended, or upon a vacation of a withdrawal, the commission will furnish the regional administrator in the region where the lands are located, and the manager of the appropriate land office, with copies of the determination. The lands described in the determinations are not subject to application until the issuance of an order of restoration.

(See note following sec. 63.7).

63.4 Action by Regional Administrator. Upon receipt of a determination by the Federal Power Commission, the regional administrator shall ascertain whether there are other withdrawals or conditions which would require the postponement of issuance of a restoration order under the determination. Where there is no other withdrawal, the instructions in sec. 57.131(b) of this Manual should be followed. If the lands are in a withdrawal such as a national forest where the lands will become subject to certain types of appropriation, the restoration order may be issued providing for the State's preference-right period, pursuant to section 63.5 II (b).

The Act of May 28, 1948 (62 Stat. 275; 16 U.S.C. 818) provides for notice to the State only where restoration of the land to some form of appropriation is contemplated. Therefore, if the lands are in a type of withdrawal that does not permit any form of appropriation, no order of restoration should be issued or notice given to the State. In such cases appropriate notation of the determination should be made on the records so that appropriate provisions as to the determination under section 24 of the Federal Power Act may be included in any future order of restoration and notice given to the State at that time. Where appropriate, the matter of making such restoration should be referred to the ~~Washington office~~ office of the Director and examinations of lands and other actions taken pending action on the revocation of the other withdrawals.

Where a withdrawal under section 24 of the Federal Power Act is vacated a restoration order should be issued and notice given to the State, where appropriate. Such a restoration should not be made subject to section 24 of the Federal Power Act.

(See note following sec. 63.7).

63.5 Form of Order of Restoration under section 24 of the Federal Power Act, as amended. If the lands are suitable for disposition under the homestead or desert-land laws or the Small Tract Act, form 4-182 should be prepared and signed.

The instructions contained in Part 57 and Part 137.52 of this Manual, covering documents which must be published in the Federal Register, should

be followed. Note especially provisions applying to the preparation and processing of restoration orders found in Parts 57.132 and 57.133, except as to use of short form for restorations, as indicated in Part 63.6.

I. A separate order need not be prepared for each determination. The order should list the docket number assigned to the determination by the Federal Power Commission, the power site reserves, classifications, water power designations, or Federal power projects affecting the lands, the type of restoration (e.g., to mining location only), and the lands involved.

II. The order should also contain: (a) any special stipulation which the Federal Power Commission may have included in the determination; (b) provision for a 90-day preference-right period in accordance with the act of May 28, 1948 (62 Stat. 275; 16 U.S.C. 1946 ed., Supp. III, sec. 818), within which the State may file under any statute or regulation applicable thereto, an application for the reservation to the State or any political subdivision thereof, of any lands required as a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways; and (c) provision for preference rights to veterans of World War II and others under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. secs. 279-284) as amended, in all cases where the land may be opened to application under the homestead or the desert-land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. sec. 682a).

III. The period within which a State may file applications should run from the date of publication in the Federal Register, unless advance notice is given, as provided in paragraph IV. The veterans' preference-right period should begin on the 91st day after the date of publication, i.e., at the expiration of the State's preference-right filing period, if any is provided for in the order; otherwise on the 35th day after the date of the order. Applications by veterans and others entitled to preference may be filed any time after the order is signed, and all such applications, including those filed up to 10:00 a.m. on the 91st day, or 35th day, as the case may be, will be treated as simultaneously filed.

IV. Governors of the States in which the lands are located should be notified by registered mail, return receipt requested, that the State has a 90-day preference right period from the date of publication in the Federal Register within which to file applications allowable as shown in Part 63.5 II (b). Notification should be made no later than the time the order is issued, and a copy of the order furnished the Governor. However, notice may be given to the Governors, in the manner provided, of the intention to issue such an order, and the issuance of the order withheld for ninety days. In this event, provision 63.5 II (b) could be omitted from the order.

V. Notice to the Governor, as provided in Part 63.5 IV, or an order of restoration providing for the 90-day preference-right period within which the States may file applications for rights-of-way in accordance with Part 63.5 II (b), is necessary even though the restoration may be limited in scope, (e.g., for mining purposes only). ~~Such notice or order of restoration is necessary also where the lands affected are in a withdrawal or reservation other than a power site reserve, classification, designation, or power project.~~

VI. If authorized in advance by the Commissioner, Bureau of Reclamation, orders of restoration of lands also included in reclamation withdrawals, in addition to providing for the State's preference-right period, may open the lands to leasing under the Small Tract Act, as amended, with the veterans' preference-right filing period in accordance with Part 63.5 II (c).

(See note following sec. 63.7).

63.6 Form of Restoration Order for lands not suitable for homestead, desert-land, or small tract use. In cases where it appears unlikely that any of the lands involved are suitable for homestead, desert-land, or small tract use, the orders should include a statement following the land descriptions, somewhat as follows:

> "The lands affected by this order are (rough, rocky, mountainous, etc.). They are chiefly valuable for (grazing or other major use). The lands will not be subject to occupancy or disposition until they have been classified. It is unlikely that the lands will be classified as suitable for homestead, desert-land, or small tract use."

An additional statement would be added, in lieu of the text on pages 2 and 3 of form 4-182, as follows:

> "This order shall not otherwise become effective to change the status of such lands until 10:00 a.m. on the 91st day after the date of publication. At that time the said lands shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 90-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended.
>
> "Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from this office."

An order of restoration using the short form as indicated above would read as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
(Office and Location)

## RESTORATION ORDER UNDER FEDERAL POWER ACT

Pursuant to the following-listed determinations of the Federal Power Commission and in accordance with Order No. 427, Sec. 2.22 (a) (4) of the Director, Bureau of Land Management approved August 16, 1950 (15 F.R. 5641), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereinafter described, so far as they are withdrawn or reserved for power purposes, are hereby opened to disposition under the public-land laws as provided below, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and subject to the stipulation that (any stipulation required by the Federal Power Commission):

| Determination No. | Dates and Types of Withdrawal | Type of Restoration | Description of Lands |
|---|---|---|---|
| DA-234 | Power Site Reserve No. 16, dated ______ | For mining purposes only | |

The above-described lands are within the __________ National Forest

| | | | |
|---|---|---|---|
| DA-235 | Federal Power Project No. ___ of (date). Power Site Classification No.___ of (date). | Under the applicable public-land laws | |

The tract in DA-235 is rough and rocky. It is primarily suitable for grazing. This land will not be subject to occupancy or disposition until it has been classified. It is unlikely that it will be classified as suitable for homestead, desert-land, or small tract use.

The lands described shall be subject to application by the State of _________ for a period of ninety days from the date of publication of this order in the Federal Register for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended.

This order shall not otherwise become effective to change the status of such land until 10:00 a.m. on the 91st day after the date of publication. At that time the above-described land in DA-235 shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 90-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from this office.

(Signing Officer)

(See note following sec. 63.7).

63.7 Orders of restoration; notation. The order of restoration should be noted on the tract book records in the appropriate land office.

(Part 63 completely revised, B.L.M. Order No. , 1951).

Form No. 4-1123
(December 1948)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

# ROUTING AND TRANSMITTAL SLIP

To: Division or Branch

Date 11/30

(1) Mr Hoffman

(2) Tom —

(3) Make file &

(4) [illegible] filed.

Remarks: Manual changes will follow shortly

☐ Necessary action
☐ Approval
☐ Signature
☐ Prepare reply
☐ Your comment and return
☐ Note and surname
☐ Note and return
☐ Your information
☐ See me
☐
☐
☐

L I Miller
(Name)

(Office)

GPO 16—57612-1

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

"DL:JNW"

NOV 30 1951

Memorandum

To: Chief, Division of Lands ✓
Chief, Division of Minerals

From: Assistant Director Pincus

Subject: Instructions under Order No. 452, November, 1951

The purpose of the attached order is to lighten the workload involved in writing decisions. Our problem is the common one of lack of stenographic help. If decisions are concise, clear and complete, it will be possible to handle our work more adequately without slighting our duties.

Only so much of the facts should be stated in the original decision as is necessary for a proper understanding of the conclusions reached in the adjudication. One type of case in which this procedure should be followed is that of mineral contests. There is no necessity for the recital of all the evidence in the record as part of the decision. In preparing decisions on appeals to the Director from field decisions, it will be sufficient if the case is to be affirmed on the basis of the manager's decision, and where no new issues of law or fact have been raised by the appellant, to state very briefly the nature of the case and that a thorough consideration of the entire record including the appeal, presents no basis in fact or in law for reversing the manager's decision, which is affirmed on the basis of the statement of facts and conclusions of law in the prior decision. Where a decision is to be affirmed but new issues of fact or law have been presented, or the manager has based his decision on erroneous grounds, disposition of the new issues of fact or law or of the erroneous grounds should be made but in as brief a fashion as possible.

Adjudications will continue to be in the form of decisions, as heretofore.

William Pincus
Assistant Director

Attachment

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
Barr
Wasserman

NOV 30 1951

Order No. 452

137.01

In order to facilitate adjudication in land offices, regional offices, and in the Washington office of applications, offers, cases and claims under the various public land laws, the following rules will hereafter be observed:

1. Where a lease, permit or other document is issued which is responsive to the application, offer, etc., and where no further action is necessary by the applicant in connection with such issuance, there will be no decision or letter of transmittal unless notification of the action must be given to those who will not receive a copy of the document. The issuance of such document will be properly noted on the records.

2. Decisions shall be written clearly, concisely, and completely. There shall be no statement of facts unnecessary to the consideration of the issues involved. Where a written decision is necessary, even though the application, offer, or entry is allowed, the process by which such result is reached, where no conflicting claimants are involved, shall not be stated in detail. In adjudicating appeals, the decision, if a complete affirmance of the prior adjudication, shall state briefly the nature of the case and that affirmance is based on the statement of facts and conclusions of law in the prior decision, except that where such decision is predicated on erroneous grounds, even though otherwise correctly decided, the affirmance should state the correct grounds. If the appeal raises issues not discussed in the prior adjudication, the decision shall dispose of the relevant ones as briefly and completely as possible.

Assistant Director

Part 137

C-313

DEC 11 1951

Bradshaw
Barr
Lanigan
Fisher
Wasserm

Order No. 453

# MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 129--ISSUANCE OF PATENTS

Section 129.10 is amended to read as follows:

129.10 Issuance of new patent to correct error. (a) No application will be required for the issuance of a new and correct patent to correct a clerical or typographical error in a final certificate or patent, where the land erroneously described in the patent has been patented under an earlier entry or grant and the reservations in the earlier patent are also contained in the later erroneous patent. Any patent issued pursuant to this paragraph will contain the following language:

> "This patent is issued because of a clerical or typographical error in patent No. __________(or final certificate No. _________) issued __________ which erroneously described the lands as __________ __________."

> The decision directing the issuance of a new and correct patent pursuant to this paragraph will not direct the cancellation of the erroneous patent. It will state:

> "The records of the Bureau of Land Management affecting both the erroneously and correctly described lands involved will be noted to show the issuance of the new and correct patent."

(b) Where information concerning a defective patent is found it should be reported to the Chief, Branch of Land Use and Disposal.

C-314

(c) Where information as to an erroneous patent is received and the issuance without an application of a new or amended patent as provided in paragraph (a) is proper, such a patent will be issued. In other cases, if the defect is sufficient to warrant the issuance of an amended or supplemental patent, the Patent Section will (1) ascertain, if possible, from the proper State officer the name and address of the present owner of the land, and (2) advise the present owner of the defect and the conditions under which an amended or supplemental patent may be issued.

William Zimmerman
Assistant Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
Tims

January 7, 1952

ORDER NO. 454

Pursuant to changes in Bureau organization approved by the Secretary January 3, the following actions are taken, effective on the date of this order:

1. An Office of International Cooperation is established in the Director's Office. The Office of International Cooperation assists the Director in the coordination of programs and in providing general technical services and training in connection with the international activities of the Bureau.

2. This order supersedes section 2.(2)(d) of BLM Order No. 451 of November 12, 1951, which section is hereby revoked.

3. The identification symbol DIC is assigned to the Office of International Cooperation. This supersedes section 4 of BLM Order No. 451 of November 12, 1951, insofar as it relates to Branch of International Assistance. That portion is hereby revoked.

4. The Official Organization Handbook will be amended to reflect the change in organization. The amendment will be published in the Federal Register.

Marion Clawson

Director.

DISTRIBUTION:

Regional Administrators (6 copies each)
Washington, Desk to Desk
T.A.Tims, 5547, 25 copies

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
Tims
Barr

January 7, 1952

ORDER NO. 455

Pursuant to changes in Bureau organization approved by the Secretary January 3, the following actions are taken, effective on the date of this order:

1. The Hearings Office (Salt Lake City) is assigned organizationally to the Division of Range Management with headquarters remaining at Salt Lake City. The Hearings Examiner (Salt Lake City) is responsible for the conduct of hearings resulting from appeals of range users and other interested parties from decisions of management officials regarding the use and administration of range lands in established grazing districts.

2. This Order amends the organization chart of November 1951, as it appears in the Official Organization Handbook, insofar as it affects the Hearings Office.

3. The Official Organization Handbook will be amended to reflect the change in organization. The amendment will be published in the Federal Register.

Marion Clawson
Director.

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T.A.Tims, 5547, 25 copies

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
"DL:CGF"

Order No. 456

JAN 10 1952

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

The following new text is added:

## PART 241 -- WITHDRAWALS AND RESTORATIONS

## CONFLICTING SIMULTANEOUS APPLICATIONS

Sec. 241.1 Processing of conflicting simultaneous applications. (a) Unless otherwise provided in a particular order, or regulation, the order of priority for processing conflicting simultaneous applications filed under the public land laws will be determined by a drawing, pursuant to 43 CFR 295.8. For the purpose of the drawing, the manager will write on cards the names of the several applicants and each of these cards will be placed in an envelope upon which there is no distinguishing or identifying mark, and at such hour and date as may be fixed by the manager, all the envelopes containing the names of the applicants will be thoroughly mixed in the presence of such persons as may desire to be present. Where no order of restoration or notice of opening is involved, a drawing for any simultaneous applications, except as provided in paragraph (b) of this section, will be held at such time after the applications are filed as may be fixed by the manager. The envelopes containing the cards prepared as stated will be drawn and opened and the cards therein will be numbered in order. The cards, as numbered, will be fastened securely to the applications of the respective persons and, subject to any priority to which any particular applicant may be entitled on account of a preference right conferred by law or regulations, the numbers will fix and determine the order of priority for action on the applications.

(b) No drawing shall be held in connection with simultaneous applications which conflict with applications entitled to priority because of prior filing, unless and until appropriate action on the prior applications has been taken and a drawing for the subsequent simultaneously filed applications is found to be necessary. The applicants will be given reasonable notice of such drawing.

Director

C-315

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

5.02

March 25, 1955

ORDER NO. 457, Amendment No. 2

Subject: Mineral Leasing - Acquired Lands

In view of the decentralization of the acquired lands records it is no longer necessary to advise the Washington office of actions taken on acquired lands cases.

Accordingly, Sec. 99.552 of Bureau Order No. 457, as amended December 11, 1953, is hereby revoked.

W. G. Guernsey
Acting Director

Distribution:

| | | |
|---|---|---|
| Area Administrators | 10 | each |
| State Supervisors | 10 | each |
| Land Offices: | | |
| Fairbanks | 5 | each |
| Anchorage | 5 | each |
| Los Angeles | 5 | each |
| Wash. Staff Officers | 2 | each |
| Eastern States Officer | 5 | |

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

December 11, 1953

Order No. 457 Amendment No. 1

Subject: Mineral Leasing-Acquired Lands

Section 99.552 of Order No. 457 is amended to read:

Section 99.552 Notification of Washington Office. (a) When action is taken in the field offices which affects the status of an acquired lands oil and gas lease, such as cancellation, extension, partial assignment etc., copies of such decisions should be forwarded to the Washington office for appropriate notation on the records. At the beginning of each month the Managers will send to the Washington Office a list of all leases which expired during the preceding month without applications for extensions being filed.

(b) In order that the Washington Office records may be complete the managers are directed to review their acquired lands serial registers and advise the Washington Office of all past action taken by them which affect the status of a lease as indicated in paragraph (a).

Section 99.553 is revoked.

Acting Director

Distribution:

| | | |
|---|---|---|
| Managers Land Offices | 5 | each |
| " Land & Survey Offices | 5 | " |
| Regional Administrators | 5 | " |
| Division of Minerals | 5 | |
| Branch of Records Management | 5 | |
| " " Management Planning | 10 | |

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

AMP

Order No. 457

1/14/52

# MANUAL OF THE
# BUREAU OF LAND MANAGEMENT

## PART 99--MINERAL LEASING, ETC.

## Acquired Lands

The following is added to Part 99:

Section 99.550 Delegation of Authority. Section 2.31(b) of the redelegation orders approved August 20, 1951, by the Acting Secretary of the Interior, authorized the Managers of the Land and Survey Offices to act on matters relating to oil and gas leases under the Act of August 7, 1947 (30 U.S.C. Supp. III, 351-359), after such leases have been issued by the Washington Office, with the exceptions specified in paragraph (a) of that section. Under Section 2.31(b) of Order No. 427, dated August 16, 1950, the Regional Administrators are authorized to take similar actions on acquired lands oil and gas leases in States where there are no land offices.

Section 99.551 Action upon receipt of cases. Upon receipt of such cases by the appropriate field office a serial register sheet should be prepared for each case. The notations made on these sheets should be kept to an absolute minimum in accordance with previous instructions in connection with public land cases. No attempt should be made to record actions taken on the cases prior to the receipt in the field offices. In acting on these cases the field offices will be governed by existing instructions with regard to the handling of such leases on public domain lands. In the event assignments, relinquishments, or other papers are filed direct in the field offices and a case record has not been received a request for the records should be made rather than forwarding such papers to the Washington office.

Section 99.552 Notification of Washington Office. When action is taken in the field office it will not be necessary to send to Washington copies of such decisions for recording. When a lease is terminated or extended notation thereof should be made on the backing sheet of the case.

C3

Section 99.553 Adjudication of applications conflicting with leases. When applications for leases covering acquired lands are received in the Washington office and the records indicate that leases are outstanding on such lands, the proper field office will be requested to advise the Washington office whether the outstanding leases have been terminated.

William Pincus
Assistant Director

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
AMP

Order 457

FEB 5 - 1952

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

PART 129--PATENTS

Issuance of Patents

Section 129.11 is amended to read:

129.11 Patents issued subject to the provisions and conditions of particular statutes. Final Certificate Form 4-1195 contains on the reverse side thereof most of the reservations usually noted on such certificates. The form is designed so that reference is made to the appropriate reservation on the face of the certificate by number only. This reference number should be spelled out. In the event a reservation is required which is not listed such reservation should be typed on the reverse side and appropriately numbered. The usual reference by number should be noted on the face of the certificate.

Appendix P of this Manual contains a complete list of reservations for certificates or other documents together with the corresponding language used in the patent.

The text given for reservations covers cases where all the land conveyed is affected. If only a part of the land is affected the text must be modified accordingly.

Assistant Director

BUR. OF LAND MGMT.
25 AM 9 27
RECEIVED
AND & SURVEY OFFICE
NVER, COLORADO

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

M-CRD

Order No. 458

February 19, 1952

Memorandum

To: Managers, Land and Land and Survey Offices

From: Director

Subject: Relinquishments of oil and gas leases

It has been brought to my attention that in one of the land offices an attorney has been filing and obtaining oil and gas leases in his name and the names of others. Soon after the leases are issued he produces partial relinquishments along with new offers to lease in the names of other persons.

It should be clearly understood that lands included in outstanding oil and gas leases are not subject to further oil and gas lease offers unless and until relinquishments are accepted, leases cancelled and the records noted. In this connection see 49 L.D. 171.

When offers to lease are received the status of the land should be immediately obtained and the offers rejected if all of the lands are included in an outstanding lease. If part of the lands are included in an outstanding lease the status sheet should be noted and the offer rejected to that extent when the lease is signed even though a relinquishment of the outstanding lease was filed and the records noted prior to the signing of the lease.

It might be well when noting the records of cancellations of leases to add the date and hour that such notations are made. As a further safeguard the status of all oil and gas lease offers received in any one day should be obtained prior to the notations of cancellations for that day.

Marion Clawson

L.J.

Director

K.K.

Distribution
Each Manager 15
Each R.A. 10
Mineral Division 25

Duplicus
Wasserman
Barr

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

Order No 458

M:CRD

FEB 19 1952

Memorandum

To: Managers, Land and Land and Survey Offices

From: Director

Subject: Relinquishments of oil and gas leases

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When offers to lease are received the status of the land should be immediately obtained and the offers rejected if all of the lands are included in an outstanding lease. If part of the lands are included in an outstanding lease the status sheet should be noted and the offer rejected to that extent when the lease is signed even though a relinquishment of the outstanding lease was filed and the records noted prior to the signing of the lease.

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Marion Clawson

Director

Distribution
Each Manager 15
Each R.A. 10
Mineral Division 25

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

56822 LUD:WK

MANUAL
REVISION
Withdrawals 57.130
Reservations 57.131

FEB 15 1952

Order No. 459

## MANUAL OF THE
## BUREAU OF LAND MANAGEMENT

## PART 57--DOCUMENTS

## FEDERAL REGISTER DOCUMENTS--Continued

## PROCLAMATIONS, EXECUTIVE ORDERS, PUBLIC LAND ORDERS, ETC. -- Continued

Sections 57.130 and 57.131 are amended to read as follows:

57.130 Responsibility of Bureau of Land Management and of the managers, concerning withdrawals to be prepared in Washington. (a) Upon receipt of a request for a withdrawal of land except for reclamation purposes, the Division of Lands shall prepare an acknowledgement, obtain status, request reports from other interested Federal agencies and from the regional administrator ~~whenever feasible by means of a form memorandum~~, and inform the manager of the appropriate Land and Survey Office of the request. Notice of proposed withdrawals of lands for reclamation purposes, together with status report, will be sent by the Regional Director, Bureau of Reclamation, to the Regional Administrator, Bureau of Land Management. The latter shall inform the manager of the appropriate land and survey office of the request.

(b) Upon receipt of notice of the proposed withdrawal, including proposed reclamation withdrawals, the manager shall suspend all applications to enter or lease the lands, the allowance of which is discretionary, list any oil and gas leases which would be affected by the withdrawal, and prepare notices on Form 4-243 to such lessees, except as to the insertion of the number and date of the order. The reasons for these notices are set forth in Section 99.86 of the Manual. Upon advice that the withdrawal order has been signed, the manager shall at once insert the number, if any, and the date of the order in the notices, and send the notices by registered mail to the oil and gas lessees. He shall also reject all suspended applications to enter or lease the lands except those which are not affected by the withdrawal, or take other appropriate action, such as is indicated in Section 99.85 of this Manual. ~~Wherever qualified employees~~

C-320

The managers should furnish status upon receipt of a request from the Bureau of Reclamation; however, the Bureau of Reclamation will check the land office records for status whenever they have qualified employes available within a reasonable distance from the land office.

(c) Upon receipt of notice of a proposed withdrawal including reclamation withdrawals, the regional administrator shall determine (1) if there are any conflicts with any programs of the Bureau of Land Management, (2) if the land is suitable for the purpose for which it is to be withdrawn, (3) if all the lands to be withdrawn will actually be needed by the agency requesting the withdrawal, and (4) if there are suitable alternate areas in case there is a conflict with a program of the Bureau of Land Management. The regional administrator shall endeavor to reconcile any differences with the field representatives of any agency requesting a withdrawal. When time will not permit obtaining the detailed information for the recommendations, the regional administrator shall make his recommendations from the best information available. The basis upon which he is making his recommendations should be indicated. The report and recommendations of the regional administrator shall be sent as promptly as possible to the Division of Lands and the case record, if transmitted to him, shall be returned therewith. If the lands are in a State where there is no Land Office the appropriate regional administrator will take the action indicated in paragraph (b). In connection with proposed withdrawals for reclamation purposes, the regional administrator will inform the Regional Director, Bureau of Reclamation whether the proposed withdrawal meets with his approval, or in what respects it does not, and in transmitting a copy of such notice to the Director, Bureau of Land Management, give such information as will insure that the report may be identified with the withdrawal order when the latter is received from the Bureau of Reclamation.

(d) Upon receipt of the field and other reports the Division of Lands shall review the case and be responsible for resolving any conflicts or differences of opinion existing between any other bureaus of agencies or divisions within the Bureau. The Division of Lands shall take the initiative in clearing the case with the Director's Office where policy determinations are required. After agreement has been reached on all problems raised the Division of Lands will prepare the appropriate withdrawal order, accompanying memoranda and letters, and process the withdrawal to its conclusion.

(e) If the request for withdrawal is denied, the regional administrator and the manager shall be advised, and appropriate action shall then be taken on the suspended applications.

57.131 Responsibility concerning restorations. (a) Upon receipt of a request for revocation of a withdrawal, except for reclamation purposes, the Division of Lands shall prepare an acknowledgement, and unless the lands will remain in another specific withdrawal or are in a valid entry, shall request a report from the regional administrator. The Division of Lands shall process those cases where the lands will remain in another withdrawal or a valid entry, notifying the regional administrator of the restoration. When reclamation withdrawal orders are to be revoked, two copies of the proposed revocation order in final form, except as to veterans' preference and other provisions usually added by this office, will be submitted to the regional administrator by the regional office of the Bureau of Reclamation. The regional administrator will take the action indicated in paragraph (b) below.

(b) The report submitted by the regional administrator in accordance with 57.131(a) shall contain a determination as to the use suitabilities of the land. Where it is recommended that the lands be disposed of, the report shall include a recommendation of the types of disposal that appear feasible. When appropriate it will also include the appraised value of the land and substantiating appraisal data. Where it is recommended the lands be retained in public ownership the report should contain a recommendation as to the proper type of management and the proper agency to administer the land. The case record of cases transmitted by the Washington office shall be returned with this report by the regional administrator to the Division of Lands for further handling.

(c) The regional administrator shall take steps to put his recommendations into effect immediately after the restoration order is published when such action is appropriate.

William [illegible]

Assist. Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

FILE COPY
SURNAME
Adams
Hancock
[illegible]

Order No. 460

# MANUAL OF THE
# BUREAU OF LAND MANAGEMENT

## Part 174--RIGHTS OF WAY

## GENERAL INSTRUCTIONS

Sec. 174.4 (c) (1st para.) is amended to read as follows:

Examination. Examination of the application will be made as to its legal and factual sufficiency, observing carefully the following important key points:

Sec. 174.4 (c) (3) is amended to read as follows:

the maps sufficiently show the location of the right-of-way or site with relation to the public land surveys so as to enable a competent engineer or surveyor to locate the same on the ground and that the statement of the engineer or surveyor who made the survey and the certificate of the applicant are inscribed on the maps or have been furnished on separate papers. The check of the maps as to location will be made by a Bureau cadastral engineer if one is readily available to the Manager.

Sec. 174.4 (d) is amended to read as follows:

Additional showing, if required. If by reason of the facts developed under (c) supra, the application is found to be defective the Manager will by decision over his signature, require the applicant to meet such additional requirements as may be necessary to cure the defects. The decision should allow the usual 30 day period within which to comply or to appeal, and provide that upon failure to do so the application will be rejected and the case closed. If an appeal is filed it will be transmitted to the Director. Should no action be taken or appeal filed by the applicant the Manager will after due notice of service, reject the application.

Sec. 174.6 (2nd para.) is amended to read as follows:

The decision should be whenever possible by form decision, should identify the case by name of applicant, serial number and Act under which the right of way is granted, should identify the land, should set forth the rental charges, if any, reservations, if any, and stipulations, if any, and should state that the approval is subject to present and future regulations which may be issued governing rights-of-way or site for the particular project.

Sec. 174.7 is amended to read as follows:

*Action on approved right-of-way or site.* Upon the approval of the right-of-way or site, the Manager will make proper notation on his tract books and other records, and will distribute copies of the decision approving the right-of-way as follows: one copy to the permittee or grantee, one copy together with the duplicate map to the Director, one copy to any other bureau or agency having control and administration of the lands affected, and two copies together with two print copies of the map to the Geological Survey, if the right-of-way is for the transmission of electric power. The original decision together with the original map will be retained by the Manager for the files of his office.

William Pincus

Assistant Director

Hillman
3-4-52
Hamisch
3-4-52
Brodhow 3/11
Barr

MAR 1 1 1952

Order No. 461

# PROCEDURE

## AIRPORT CONVEYANCES

## (43 CFR 251.18 - 251.23)

Paragraph 9 of the Airport Conveyances procedure is hereby amended to read as follows:

9. If the land is not surveyed, or if the request is for portions of legal subdivisions which do not constitute aliquot parts thereof, a special paragraph should be inserted in the letter of commitment in accordance with the sample letter. A statement in writing that the cost of the survey will be borne by the Civil Aeronautics Administration or by the sponsor of the airport must be obtained before work on the survey is commenced. If, in the opinion of the Regional Administrator, the metes and bounds description of the land is adequate to put any claimant of the land, or any portion thereof, on notice of the location of the land, he may direct publication of notice before the survey.

William

Assistant Director

Distribution:
R.A., Region 1 - 25
" 2 - 25
" 3 - 25
" 4 - 25
" 5 - 25
" 6 - 10
" 7 - 10
Washington Office - 25

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

"DL:CRB"

IN REPLY REFER TO:
Bradshaw

JAN 16 1952

Memorandum

To: The Secretary of the Interior

From: The Director, Bureau of Land Management

Subject: Proposed procedure

Attached is the proposed amended procedure governing rights-of-way over public lands, with the recommendation that it be approved.

The purposes of the various amendments are to eliminate (1) unnecessary language, (2) the transmission of unnecessary papers to this office and (3) to require the land and land and survey offices to transmit maps of approved rights-of-way to this office for record purposes.

(Sgd) William Pincus

Assistant Director

JAN 30 1952

Enclosure approved by

(sgd) R. D. Searles

Under Secretary of the Interior
and returned

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

Hephart 2-29
56822 LUD:WK
Lane 2-29
Ribba 3/3/52
Fisher 3-4

MANUAL
REVISION
Withdrawals
Reservations 57.132

Bradshaw 3-4
miller 3-6

Order No. 462

MAR 11 1952

## MANUAL OF THE BUREAU OF LAND MANAGEMENT

## PART 57—DOCUMENTS

### FEDERAL REGISTER DOCUMENTS—Continued

### PROCLAMATIONS, EXECUTIVE ORDERS, PUBLIC LAND ORDERS, ETC. — Continued

Section 57.132 is amended to read as follows:

57.132 Statement as to character and classification of lands to be made in orders. Except in Alaska, orders restoring or opening land will contain a statement showing the character of land and the ~~classification as to the~~ use to which the land has been found to be best suited. Orders will further contain language to the effect that while any application that is filed will be considered on its merits it is unlikely that any substantial part of the restored (or opened) land will be classified for any use other than that shown in the order.

In the case of public lands in Alaska, the following statement, when appropriate,[1] will be made in the order of restoration or opening, immediately following the description of the lands:

> "No application for these lands may be allowed under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application."

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[1] The statement will not be made where the land is restored for the benefit of a particular applicant.

(Sgd) William Pincus

Assistant Director

C-321

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
AMP

March 12, 1952

Order No. 463

Effective March 17, 1952, the Tract Book Room of the Branch of Records Management, Room 4556, will be open to the public from the hours of 1:00 to 4:00 p.m. Outside of these hours the room will be closed to all persons other than employees of the Forest Service and the employees of the Bureau of Land Management who are permanently assigned in the Tract Book Room.

S/ Marion Clawson
Director

JABarr:lmw 3/7
WPincus:rl 3/10

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington

revoked in order 498 1-12-53

MAR 14 1952

ORDER NO. 464

SUBJECT: Delegation of Authority -- Contracts and Leases

Sec. 1 Authority of certain officers to enter into contracts and leases. (a) Pursuant to the authority contained in Secs. 50 and 52 of Order No. 2509 of January 13, 1949 of the Secretary of the Interior, the following classes of employees are authorized to enter into contracts for construction, supplies (including the rental of equipment) or services, irrespective of amounts, and leases for space in real estate, as provided in those sections:

Regional Administrators
Acting Regional Administrators

Chief, Division of Administration
Regional Chiefs, Division of Administration
Chief, Branch of Administrative Services,
Division of Administration
Acting Chief, Branch of Administrative Services,
Division of Administration

The following classes of employees in Region VII, Alaska, are authorized to enter into such contracts, when the amount in any one contract does not exceed $2,000, and such leases for space in real estate:

Regional Forester
District Foresters

(b) Contracts and leases entered into under this authority must be in conformity with applicable regulations and statutory requirements and are subject to the availability of appropriations.

Sec. 2 Revocation. Order No. 306, of June 18, 1948, is revoked.

Marion Clawson
Director

Revoked
See 498

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
RM:GMK

Order No. 465

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

MAR 20 1952

PART 81--GRAZING DISTRICT AND
REGIONAL OFFICE PROCEDURES

Annual Grazing Statistical Report
For Grazing Districts

Section 81.25 (1) (4) (7) and (9) is amended to read as follows:

81.25 Information Required by Items on Form 4-1137. The items on Form 4-1137 should be reported in accordance with the following instructions on a fiscal year basis: (1) Credited this district, Regular Permits: In the "number" columns of boxes 21, 22, 23, and 24, report the total numbers of livestock covered by regular permits that obtained all of their use of Federal range in this district, including those livestock that trailed in from other districts, and those that obtained some of their forage in other districts but which by agreement between the respective Range Managers are to be credited to this district. In the AUMs column, report the total amount of forage authorized to these livestock in this district only. Above these figures, in this same space, report the total numbers and AUMs of authorized non-use in the number and AUM columns of boxes 21, 22, 23, and 24.

(4) Subtotal: Total the numbers of livestock, including authorized non-use reported in lines 1, 2, and 3. The total AUMs of forage obtained from Federal range by these livestock are not totaled in line 4.

(7) Total Obligation Under Permit: In the "number" column total lines 4 and 5. Do not include line 6 in this total. In the AUMs column, lines 1, (including authorized non-use) 2, 3, 5, and 6.

Note: If the AUMs of trailing use are included in the regular license do not again report it in line 6.

(9) Actually Grazed Under Permit: In the "number" column total lines 4 and 8, and subtract from this the total authorized non-use reported in line 1 and any other known non-use. In the AUMs column total lines 1, 2, 3, 5, 6, and 8; and subtract from this the total authorized non-use reported in line 1 and any other known non-use. Do not include trespass use.

327

Marion Clawson

Director

DEPT. OF THE INTERIOR
BUR. OF LAND MGMT.

1952 MAR 24 AM 9 19

RECEIVED
LAND & SURVEY OFFICE
DENVER, COLORADO

B

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington 25, D.C.

March 19, 1952.

Order No. 466

Subject: Decisions of Washington office in all cases to be sent directly to applicants. Copies to be sent to appropriate field offices

Effective April 1, 1952, decisions rendered by Washington on all kinds of cases will be mailed directly to the applicants and other parties involved except in those instances where action in the land or land and survey office is required prior to transmittal of the decision to the party and except for decisions requiring applicants to make payments. Copies of all decisions will be forwarded to the appropriate field offices for their information and for notation on the serial registers.

Decisions mailed to applicants directly from this office will carry the caption "Registered Mail" so that the appropriate field offices receiving copies of the decisions will know that the decisions have been served.

Each decision prepared in the Washington office taking adverse action shall clearly state that appeals should be filed with the office of the Director, Bureau of Land Management, Washington 25, D.C. In the event an appeal from the Director's decision is filed with a field office, the appeal should be forwarded promptly to the Washington office. Field offices should promptly notify the Washington office of changes of addresses of applicants.

Order No. 421 of July 19, 1950 is modified accordingly.

Assistant Director

Distribution:

All Regional Administrators
All Land and Land and Survey Offices
Range Management (10)
Division of Lands (10)
Division of Minerals (10)
Branch of Management Planning (5)

March 3, 1849

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

APR 8 - 1952

ORDER NO. 467

Subject: Amending Order No. 437 of March 28, 1951, effective on date of this Order.

The Land Records Section referred to in section (3) of Paragraph 2. is divided into two sections. Section (3) of Paragraph 2. will read:

(3) Land Records Section. The tract book records, serial registers, and other records on which land use and disposal are noted will remain in this section.

A new Section will be added to the Branch of Records Management, Division of Administration. It will be identified as the Copy Record Section. Section (4) will be added to Paragraph 2. and will read:

(4) Copy Record Section. The patent records and indexes relative thereto, and the plat and field note records in the Land Records Section, Branch of Records Management are transferred to this Section.

Paragraph 4. will read:

4. All personnel, records and equipment which are a part of the old organization units affected are hereby transferred to the newly described sections. The Chief, Division of Administration is authorized to reassign personnel to staff the work units affected by this order and to initiate personnel actions to effect permanent changes.

Marion Clawson

Director.

Distribution:
L-1 Mailing List
Washington - Desk to desk.

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

RMS:OEG

Order No. 468

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

APR 28 1952

PART 83--IMPROVEMENTS

Improvements on Public Lands

PART 83 is amended to read as follows:

83.1 Public lands containing range improvements owned by the United States. Where range improvements have been placed upon public lands by the United States, or pursuant to an agreement with it, any part of a legal subdivision thus improved is considered appropriated within the meaning of sections 7, 8, and 14 of the Taylor Grazing Act. See 84 F 2d, 232 and 44 L.D. 359, 513.

83.2 Recordation of projects. Pursuant to 43 C.F.R. 101.20, the responsibility is placed directly upon the Regional Administrators to determine whether an application under the public land laws for lands upon which range or other improvements have been placed by the United States, or pursuant to an agreement with it, may be allowed, notwithstanding such improvements, and if so, with or without reservation.

(a) Range improvements not recorded in Washington office. Effective December 16, 1948, the recordation of range improvements on the tract books in the Washington office ceased.

(b) Action by Regional Office. The Regional Administrator will properly note on the records of his office the following types of range improvements and will promptly notify the appropriate land office or offices of such improvements by sending them two copies of the "final project report" together with location information:

1. Construction projects, including but not limited to the following types:

Wells
Spring Developments
Reservoirs or ponds
Pipelines
Buildings with permanent foundations
Fences of a permanent nature
Roads of a permanent nature which cannot be altered or changed as occasion demands or so strategically located that they constitute the only means of ingress or egress to otherwise inaccessible areas. Other types of roads may be reported and recorded at the discretion of the Regional Administrator.
Etc.

323 +
324

2. Land treatment projects including but not limited to the following types:

Reseeding
Regrassing
Waterspreading
Etc.

(c) Action by Land Office. The recordation of range improvements on the tract books in the land offices shall continue. Upon receipt of a project report the Manager of the land office will take the following action:

(1) Each report and each township diagram will be stamped with the office filing stamp to show the date received.

(2) The reports and township diagrams will be compared as to the general description of the lands affected by the improvements by section, township, and range. If not in agreement, both report and township diagram will be returned to the Regional Administrator by memorandum calling attention to the discrepancy.

(3) Each report and township diagram will bear, for identification, the name and number of the project as assigned by the Regional Administrator, which will always be referred to in correspondence and status reports.

(4) When it has been determined that both the report and township diagram are in agreement as to township and range, and the sections in general, the improvement will be posted in the tract books in the sections affected, as shown upon the township diagram, since the subdivisions affected by extensive improvements cannot be shown upon the reports. Notations in the tract books are to be kept to the minimum necessary to warn of the improvement and identify the report and township diagram to which reference can be made for detailed description. Ordinarily it will suffice to write in the respective sections:
"BLM Range Improvement, Project No.______________________________."
Additional improvements may be noted by writing the project numbers to the right of the first, on the same line.

(5) Reports and township diagrams will be filed numerically by project number and separately by tract book number under the heading: "Range Improvements, Bureau of Land Management."

(6) Each clerk posting such improvements upon the tract books will endorse over his initials, on each report from which posting is made, the date of posting.

(7) One copy of the report, properly noted as to posting, shall be returned to the Regional Administrator.

# PART 83--IMPROVEMENTS

## Improvements on Public Lands

83.3 Revised or abandoned range improvements. The records must reflect changes in range improvements that alter land status.

(a) Revised Projects. In the event a project has been reported as completed and its location is subsequently revised, the Regional Administrator will send the land office a revised project report and township diagrams, indicating the correction or modification in the land description for correct notation on the records of the project as revised.

(b) Abandoned Projects. When a project previously reported as completed is abandoned as worthless, or is removed, the Regional Administrator will notify the land office, whereupon the Manager will cancel any notations made in the tract books by virtue of such project.

(c) No reliance will be placed upon the Washington office records with regard to range improvements, the official record being in the land offices.

83.4 Applications for lands on which range improvements are located. Applications under the public land laws may be received by the Manager, the Regional Administrators, or the Washington office for lands upon which range improvements have been made, but no rights can be acquired to such lands merely by the filing of an application. Status reports accompanying such applications to the Regional office or to the Washington office must always refer to such range improvements, identified by project name and number indicating the subdivisions appropriated by reason of the improvement. Should the range improvement no longer be of value, a final abandonment report should be submitted with the field report. Should the range improvement have any practical value, the Regional Administrator shall report whether the application may be allowed, notwithstanding such improvement, and if so, with or without reservation. The following is a sample form of reservation that may be used in connection with the approval of such application:

> "There is reserved to the United States the range improvement project, (name_______, number________) consisting of a range division line fence constructed along the east and south lines of the E½ Section 33, T. 35 N., R. 109 W., Sixth Principal Meridian, together with the right of ingress and egress to the lands as necessary for the proper maintenance of said fence as long as it exists in present location."

Successful land-treatment improvements such as reseeding projects which have increased the productive capacity of the land should also be taken into account in classifying such lands for disposal. Sufficient additional consideration will be demanded to satisfy the Government interest before an application will be considered for approval. The Regional Administrator should refer such applications to the Regional Chief, Division of Range Management and such other officials as necessary to insure in each case that the interest of the Government is adequately safeguarded.

William Pincus

~~Assistant~~ Director

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
"DL:CGF"

MAY 1 [illegible]

Order No. 469

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

PART 180--SIGNING OFFICERS

The following new text is added:

Sec. 180.21 Regional Administrator, Region VI. Notices of the filing of plats of survey for lands in Region VI, and related correspondence and memoranda, will be prepared in the regional office and signed for the Director by the Regional Administrator, Region VI, as shown by the following example:

FOR THE DIRECTOR

Regional Administrator,
Region VI

William Zimmerman, Jr.
Associate Director

C325

March 3, 1849

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

AMP

May 23, 1952

Order No. 470

Effective June 1, 1952, the following procedures will be followed with respect to the issuance of patents:

1. For all cases in which a final certificate is issued, except mineral entries and cases which require approval of the Board of Equitable Adjudication, the land offices shall retain the entire case record and send only the final certificate to Washington.

2. Patents will be written entirely from the final certificates in Washington and upon issuance will be sent to the appropriate land offices for delivery.

3. The Patent Section will note the patent number and the date of issuance of the patent on the final certificate and each Monday will forward all the final certificates for which patents issued during the preceding week to the Tract Book Section for appropriate notation. The final certificates will be retained in Washington.

4. Upon receipt of the patent the manager will make appropriate notations on the land office records and also insert the patent number and date of issuance on the backing sheet of the case record in the space as shown on the attached sample.

5. Land offices will retain the cases patented in any one calendar year until the end of the next calendar year when they will be sent to Washington. For example, all cases approved for patenting in 1952 will be retained in the land office through December 31, 1953. Upon receipt in Washington the final certificates will be placed in the cases and they will be sent to The National Archives.

6. For all cases which do not have final certificates, in addition to mineral entries and cases requiring the approval of the Board of Equitable Adjudication, the present procedure of sending the case record to Washington for issuance of patent will continue.

7. This change of procedure is being made in order to place full and final responsibility on the land offices for proper adjudication and preparation of final certificates. It cannot be emphasized too strongly that every effort should be made to insure the correctness of the final certificate before approval for patenting. Experience in spot-checking of cases for patenting in the last few years has revealed

an extremely high percentage of error in final certificates. A large percentage of these mistakes involves the name of the patentee and reservations, especially minerals and rights-of-way. Special care should be taken to thoroughly review these cases before submission for patent.

William
Director

Attachment

Distribution:

Each Regional Administrator 10
Each Land and Land and Survey Office 5
Division of Lands 10
Mr Holland
Mr. Cook

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

AMP

MAY 28 1952

ORDER NO. 471

Subject: Land Management Incentive Awards Committee

Miss Mary Lane, Mr. Odell Child and Mr. James A. Lanigan of the Washington Staff are appointed alternate members of the Land Management Incentive Awards Committee. The Chairman or Acting Chairman of the Committee will request their services in assisting to perform the work of the Committee whenever it is deemed appropriate.

Bureau Order No. 442 is hereby revoked.

William Pincus
Assistant Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

JUN 23 1952

IN REPLY REFER TO:
"DL:CGF"

Order No. 472

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

1. Section 48.14 is amended to read:

Sec. 48.14 Penalty clause and statement concerning appeals, in decisions. (a) A decision requiring additional evidence shall state, if proper, that unless the evidence is furnished within the time specified the application will be rejected, or the entry canceled.

(b) Every decision of the Director from which there is a right of appeal to the Secretary of the Interior, rendered on or after June 23, 1952, and until July 1, 1953, will carry a closing paragraph reading substantially as follows:

> "This decision is subject for 30 days to a right of appeal to the Secretary of the Interior. Appeals must be filed in accordance with 43 CFR 221.75 and 221.76, Circular No. 1818, copy enclosed."

The same closing paragraph will be used on and after July 1, 1953, omitting that part of the last sentence which reads: "Circular No. 1818, copy enclosed."

2. Section 48.51 is revoked.

Marion Clawson

Director

C-328

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington

Revoked (by order [illegible]
[illegible]
5 87

Order No. 473

# DELEGATIONS OF AUTHORITY TO CHIEFS OF DIVISIONS AND CHIEFS OF SUBDIVISIONS OF DIVISIONS [1]

## PART 1--AUTHORITY IN GENERAL

Sec.
1.1 Functions of chiefs of divisions and chiefs of subdivisions of divisions.

1.2 Limitations.

## PART 2--AUTHORITY IN SPECIFIED MATTERS

### GENERAL

2.1 Amendment of entries and patents.

2.9 Government contest decisions.

2.20a Applications for patented or reserved lands.

2.20b Elimination from leases and permits of lands erroneously included therein.

2.20c Extensions of time.

2.20d Appeals to the Director.

2.20e Closing of cases.

### ACTIONS IN THE DIVISION OF MINERALS

2.31 Oil and gas leases.

2.32 Coal permits and leases and asphalt leases.

2.33 Oil shale leases.

2.33b Potassium permits.

2.36 Sodium permits.

2.39 Sulphur permits.

2.43 Gold, silver and quicksilver leases.

2.44 Minerals subject to lease under special laws.

2.49 Mineral entries.

### ACTIONS IN THE DIVISION OF LANDS

2.10 Patents.

2.43 Exchanges.

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[1] The section numbers in this order correspond, so far as possible, with related section numbers in Order No. 427, August 16, 1950 (15 F.R. 5643).

C 330

ACTIONS IN THE DIVISION OF LANDS--CONTINUED

2.75 State grants and grants to Territory of Alaska.

2.90a Cash and credit system entries.

2.90b Private land and small holding claims.

2.90c Drainage entries.

2.90d Certificates, scrip and lieu selections.

2.90e Timber and stone entries.

2.90f Quitclaim deeds.

ACTIONS IN THE DIVISION OF ENGINEERING

2.14 Surveys.

ACTIONS IN THE DIVISION OF ADMINISTRATION

2.3 Copies of records.

PART 3--APPEALS

3.1 Right of appeal.

PART 4--EFFECT ON PRIOR ORDERS

4.1 Revocation.

## PART 1--AUTHORITY IN GENERAL

Sec. 1.1 Functions of chiefs of divisions and chiefs of subdivisions of divisions. (a) Pursuant to the authority and subject to the limitations contained in Order No. 2583 of August 16, 1950 (15 F.R. 5643) of the Secretary of the Interior, the chiefs of divisions and chiefs of subdivisions of divisions of the Bureau of Land Management are hereby authorized to perform, in accordance with the existing policies, regulations and procedures of the Department of the Interior, the functions of the Director, Bureau of Land Management, as provided in this order. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such officer affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency. No decision shall be rendered by any such officer involving a determination as to the proper use or value of land or its resources, unless such decision has been endorsed in the division or divisions of the Bureau having jurisdiction in the matter.

(b) The assistant chief of a division may exercise all the powers and authority of the chief of that division and the assistant chief of a subdivision of a division may exercise all the powers and authority of the chief of that subdivision.

(c) In case of the death, resignation, absence or sickness of the chief or assistant chief of a division or of a subdivision of a division, the duties of such officer may be performed under the title "acting chief" or "acting assistant chief" by any qualified employee authorized to do so by this order, or authorized in writing to do so by the Chief of the division.

Sec. 1.2 Limitations. The authority delegated by this order does not include any authority reserved to the Secretary of the Interior by his Order No. 2583 of August 16, 1950. No action shall be taken

involving a new or novel question of law or a commitment not previously authorized.

The authority delegated by this order does not include any authority concerning Congressional correspondence.

## PART 2--AUTHORITY IN SPECIFIED MATTERS

Subject to the provisions of Part 1 of this order and the exceptions hereinafter set forth, the chiefs of divisions, and the chiefs of subdivisions of divisions, are hereby authorized to act in the classes of matters listed below, so far as they pertain to the work of their respective divisions or subdivisions of divisions.

### GENERAL

Sec. 2.1 Amendment of entries and patents. (a) Amendment of entries and patents, based upon errors shown by the records.

(b) Decisions rejecting applications or requiring additional evidence in the amendment of entries and patents not based upon errors shown by the records.

Sec. 2.9 Government contest decisions. Government contest decisions in all kinds of cases in which the proposed decision is not adverse to the United States.

Sec. 2.20a Applications for patented or reserved lands. Applications for patented or reserved lands, not subject to disposal under the applications.

Sec. 2.20b Elimination from leases and permits of lands erroneously included therein. The elimination from leases and permits of all types of patented or reserved lands erroneously included therein.

Sec. 2.20c Extensions of time. Applications for extensions of time within which to meet requirements made by decisions of the Bureau.

Sec. 2.20d Appeals to the Director. Decisions involving appeals to the Director filed pursuant to 43 CFR, Part 221, from actions of any regional officer, in cases where only land status or classification is involved.

Sec. 2.30e Closing of cases. The closing of cases, where proper, pursuant to Bureau or departmental decision.

## ACTIONS IN THE DIVISION OF MINERALS

Sec. 2.31 Oil and gas leases. (a) Competitive oil and gas leases on public and acquired lands.

(b) Noncompetitive oil and gas leases in acquired lands, pursuant to 43 CFR, Part 200.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

Sec. 2.32 Coal permits and leases and asphalt leases. (a) Permits and noncompetitive coal leases based upon permits under the act of August 7, 1947 (30 U.S.C. Sup. 351-359); and permits and noncompetitive coal leases based on permits, and coal leases and asphalt leases, under the acts of June 28, 1944 (58 Stat. 483-485), June 24, 1948 (62 Stat. 596), and May 24, 1949 (63 Stat. 76).

(b) The authority granted by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

Sec. 2.33 Oil shale leases. (a) Oil shale leases under section 21 of the act of February 25, 1920 (30 U.S.C. 241), and under

the act of August 7, 1947 (30 U.S.C. secs. 351-359).

(b) The authority granted by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

Sec. 2.33b Potassium permits. Potassium permits under the act of February 7, 1927 (30 U.S.C. secs. 281-285), as amended, and potassium permits in acquired lands, pursuant to 43 CFR, Part 200, except recommendations to the Secretary of the Interior for the approval of such permits.

Sec. 2.34 Sodium permits. Sodium permits under section 23 of the act of February 25, 1920 (30 U.S.C. sec. 261), as amended, and sodium permits in acquired lands, pursuant to 43 CFR, Part 200.

Sec. 2.35 Sulphur permits. Sulphur permits under the act of April 17, 1926 (30 U.S.C. sec. 271), as amended, and sulphur permits in acquired lands, pursuant to 43 CFR, Part 200.

Sec. 2.43 Gold, silver, and quicksilver leases. Leases of gold, silver, and quicksilver to the owners of confirmed private land claims, pursuant to 43 CFR, Part 197.

Sec. 2.44 Minerals subject to lease under special laws. Leases of sand, gravel, and other minerals under special laws, pursuant to 43 CFR, Part 199; also leases of certain mineral deposits in acquired lands, pursuant to 43 CFR, 200.31 to 200.36, inclusive.

Sec. 2.45 Mineral entries. Approval of mineral entries for patenting, except where such entries involve leasable minerals.

ACTIONS IN THE DIVISION OF LANDS

Sec. 2.10 Patents. Patents for grants of land under authority of the Government, to be issued in the name of the United States, other than patents or other conveyances which require the approval or signature

of the President. Patents may be signed for the Director by the Chief of the Patents Section of the Bureau, and, in his absence, by the Acting Chief of the Section.

Sec. 2.63 Exchanges. Forest and State exchanges of lands, in accordance with 43 CFR, Parts 147 and 148, Part 149, other than sections 149.35 to 149.43, inclusive, and Parts 150 to 158, inclusive, except matters involving the validity of titles.

Sec. 2.76 State grants and grants to Territory of Alaska. State grants and selections, and grants to and selections by the Territory of Alaska, when authorized by law, except orders for patent under the act of June 21, 1934 (48 Stat. 1185; 43 U.S.C. 871a), in which a mineral question is involved.

Sec. 2.90a Cash and credit-system entries. (a) Cash and credit-system and preemption entries when full payment has been made.

(b) Decisions rejecting applications or requiring additional evidence in connection with cash and credit system and preemption entries where full payment has not been made.

Sec. 2.90b Private land and small holding claims. (a)(1) Confirmed private land claims, and (2) decisions rejecting applications in connection with unconfirmed private land claims.

(b) Small holding claims.

Sec. 2.90c Drainage entries. Arkansas and Minnesota drainage entries, in accordance with 43 CFR, Parts 117 and 118, respectively.

Sec. 2.90d Certificates, scrip and lieu selections. Certificates and scrip under 43 CFR, Parts 130 to 133, inclusive; also forest lieu selections, except matters involving the validity of titles, in accordance with footnote 1, to Part 133.

Sec. 2.90e Timber and stone entries. Timber and stone entries pursuant to 43 CFR, Part 289.

Sec. 2.13 Quitclaim deeds. Decisions rejecting quitclaim deeds or requiring additional evidence in connection with applications for the issuance of quitclaim deeds under section 6 of the act of the act of April 28, 1930 (46 Stat. 257; 43 U.S.C. 872).

ACTIONS IN THE DIVISION OF ENGINEERING

Sec. 2.14 Surveys. The acceptance of all types of surveys.

ACTIONS IN THE DIVISION OF ADMINISTRATION

Sec. 2.15 Copies of records. The making of copies and exemplifications of patents, plats and other records of the Bureau of Land Management.

## PART 3—APPEALS

Sec. 3.1 Right of appeal. All actions taken pursuant to this order will be subject to appeal to the Secretary of the Interior, pursuant to the Rules of Practice (43 CFR, Part 221).

## PART 4—EFFECT ON PRIOR ORDERS

Sec. 4.1 Revocation. This order supersedes Order No. 309, May 19, 1948 (13 F.R. 2953), Order No. 428 of August 16, 1950 (15 F.R. 5643), and Order No. 438, March 29, 1951 (16 F.R. 3019), which are hereby revoked.

Marion Clawson
Director

Approved: AUG 2 1952

Joel D Wolfsohn
Acting Secretary of the Interior

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

JUN 26 1952

Order No. 474

## MANUAL OF THE
## BUREAU OF LAND MANAGEMENT

### PART 180--SIGNING OFFICERS

### SIGNING AUTHORITY OF THE CHIEFS OF DIVISIONS AND THEIR SUBORDINATES

The present section 180.6 (c) is redesignated as section 180.6 (d) and the following new text is added:

Sec. 180.6 (c) So far as the authority delegated by this part includes the signing of routine requests for reports of any kind the authority may be delegated by the Chief of the Division to any qualified employee in his division. The authority must be given in writing and the authority must specifically describe the types of routine requests and reports to which it extends.

Marion Clawson

Director

C-329

UNITED STATES
DEPARTMENT OF THE INTERIOR
[illegible]

[illegible]

SUBJECT: Verification of Citizenship of Married Women and Naturalized Persons

In the report of a recent field inspection it was [illegible] that some of the land offices are requiring evidence of the citizenship of the husband when an offer to lease and lease for oil and gas is filed by a married woman.

Such evidence is no longer required. Item 5(a) of the special instructions on the reverse side of the lease form specifically states, "Lessee will indicate whether a citizen by birth or naturalization. If production is obtained under this lease or allocated to it, the citizenship status of the lessee will be verified."

Thus evidence of the citizenship of the husband of a married woman or verification of the citizenship of a naturalized person is not required prior to the approval of the offer to lease. [illegible] of the citizenship will be made when production is [illegible] lease or allocated to it.

William Pincus
Acting [illegible]

Distribution
Each Regional Administrator 10
Each Land Office 5

[illegible]

The regular hours of duty for employees of the Bureau of Land Management are 7:45 a.m. to 4:15 p.m. For specific purposes the following exceptions to this rule are authorized:

Jacob N. Wasserman, Chief Counsel, 9:00-5:30
James E. Lanigan, Asst. Chief Counsel, 9:00 to 5:30
Secretary to Chief Counsel, 9:00 to 5:30

Norma Hazeltine, Information Officer, 8:30to 5:00
Betsy Miller, Information Specialist, 8:30 to 5:00

Pennibelle Jackson, Personal Assistant to Director, 8:30 to 5
Rose [illegible]. Latona, Secretary to Associate Director, 8:30 to 5:00
Leonard R. Owens, Mail Clerk, 9;15 to 5:30
Robert [illegible] Thompson, Messenger, 9:15 to 5:30

Time clerks are expected to familiarize themselves with approved hours of duty and to see that Time and Attendance Cards reflect attendance by employees in accordance with these hours. Division heads must also accept responsibility for attendance by employees under their jurisdiction and should periodically check the Time and Attendance Cards.

Marion Clawson

Director

[illegible]
[illegible]ation Officer, Chief Counsel and
[illegible]

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington

Surnamed
Miller
Hoffman
E. J. Thomas 3/21
Guernsey
3/21/55

March 23, 1955

ORDER NO. [illegible], [illegible] NO. 3

Subject: [illegible] Circular No. [illegible] in connection with wholesale partial assignments

That portion of Bureau Order No. 477 of July 3, 1952, requiring that relinquishments of oil and gas leases should not be noted on the plat and tract book records until 60 days after the date of their filing, is hereby revoked.

Director

Distribution:

[illegible]
State Supervisors - 10 each
Wash. Staff Officers - 2 each
ESO - 5
Los Angeles L.O. - 5
Fairbanks L.O. - 5
Solicitor's Office 6

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

file

AUG 6 - 1953

ORDER NO. 477, Amendment No. 2

Subject: Procedures under Circular 1823 and in connection with wholesale partial assignments.

The above order dated July 3, 1952, is revoked in so far as it affects the approval of partial assignments of tracts less than 640 acres, further described on page 3 of said order.

Edward Woozley
Administrator

Distribution

| | |
|---|---|
| Each Regional Administrator | 10 |
| Each Land and Land and Survey Office | 5 |
| Mineral Division | 20 |
| AMP | 10 |

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington

[illegible]

October 9, 1952

ORDER NO. 477, Amendment No. 1

1
2
3

SUBJECT: Procedure under Section 192.42(d) and in connection
with wholesale partial assignments

On October 3, 1952, the Assistant Secretary of the Interior said that the amendment of the regulations 43 CFR 192.42(d) of June 17, 1952, did not invalidate oil and gas offers to lease for less than 640 acres then pending before the Department and that the amendment should not be applied to such offers that were pending on the effective date of the amendment which was June 20, 1952, the date the regulations were filed with Division of the Federal Register, National Archives.

The Managers of Land and Land and Survey Offices should not reject any offers to lease which were filed on or before June 20, 1952 and which have not yet been acted upon because of failure to comply with the 640-acre minimum prescribed in 43 CFR 192.42(d). All decisions rejecting under the 640-acre provision of 43 CFR 192.42(d) offers to lease which were pending on June 20, 1952, should likewise be set aside, except in situations where the rejected offers were permitted to lapse due to the failure of offerors to make timely appeals from the unfavorable decisions.

Order No. 477 of July 3, 1952, is amended to conform to the instructions contained herein.

Acting Director

Distribution:

Each Regional Administrator - 10
Chief, Division of Administration - 3
Each Land and Land and Survey Office - 5
Mineral Division - 20

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

July 3, 1952

Order No. 477

Subject: Procedure under Circular No. 1823 and in connection with wholesale partial assignments

Managers of land and land and survey offices were instructed in telegrams dated June 17 and 18, to reject all oil and gas lease offers for less than 640 acres which do not conform to the requirements of 43 CFR 192.42(d) as amended June 17, Circular 1823. For offers received prior to June 17, they were instructed to allow those shown by the official records to be within unit or cooperative plans either finally approved or approved as to form.

Lands are not available for leasing under the act as contemplated in Sec. 192.42(d)(2) of the regulations where (1) they or the oil and gas do not belong to the United States, (2) where they do so belong, but are withdrawn from leasing, or (3) where they are embraced in an outstanding lease, or an allowable lease offer or application for 640 acres or more or for less acreage if within exceptions (1) or (2) of the regulation, filed prior to the offer under consideration.

Lease offers for 4 quarter sections though the area be slightly less than 640 acres may be accepted as substantially complying with the regulation. All lease offers for less than 640 acres or the equivalent of a full section should be serialized in the regular manner and the filing fee earned. Such offers should be screened under the regulations, Circular 1823, before copies of the serial register sent to the Geological Survey for a structural report. Copies should not be sent for those cases which do not come within that regulation.

All partial relinquishments within the purview of Circular 1823 should be processed in all required respects except to note them on the tract and plat books. All such relinquishments received in any one day except those covering lands in an approved unit plan or one that has been approved as to form should be kept together and they should be noted on the plat and tract book 60 days after the date of their filing. Partial relinquishments in an approved unit plan or one that has been approved as to form will be noted immediately.

Certain questions have been raised regarding the regulation which, for convenience will be handled here.

1. When is the order effective? Except as to relinquished land, this question is academic since the order was filed with the Federal Register June 20, and published June 21, and since lease offers in conflict with them are to be rejected whether they were filed before or after the effective date. The regulation became effective when it was officially filed with the Federal Register and made public, to wit on June 20.

2. What is the procedure with respect to lease offers for land involved in partial relinquishments as to the regulation which will not be received? By its terms, the operation of the provision that such offers will not be received is prospective. This accords with its purpose which was to prevent circumvention of the regulation by taking large leases and then relinquishing small parts of them. While this has been practiced to a degree in the past, it apparently has not been practiced on any substantial scale. Such offers should be serialized and processed in the regular manner. In noting the relinquishments, the date of notation should also be noted to insure that any lease offer for the land which was filed during the 30 day period be rejected. The decision should state that when the offer was filed the relinquishment of the former lease had not been noted on the records and the land was, therefore, not subject to lease.

3. Do the regulations apply to applications to lease? The regulation does not apply to former applications filed before the lease offer was adopted, if any such remain.

4. Do they apply to the closed land States? The regulation is not deemed to apply as a practical matter to lease offers filed prior to June 20, in the closed land States, since with the exception of western North and South Dakota and possibly western Nebraska, only isolated tracts of public lands averaging much less than 1,000 acres per county remain vacant and there are few stock raising homestead entries. It is a recognized fact that in western North Dakota, northwestern South Dakota and western Nebraska an active filing campaign begun many months ago has substantially accounted for all of the leasable lands and in general these filings, most of which have already ripened into leases, were for all of the contiguous land which appeared to be available in any case. In addition, it does not appear that professional lease locators have been active in these States. However, in the future, the regulations and these instructions will be followed by the Washington tract book section and the district land offices, as to lands in the closed land States.

I am informed that one office may have difficulty in determining whether a unit plan for particular land has been approved in its final form. No doubt the appropriate oil and gas supervisor will advise what plans are in that status and what lands they cover. If an offer is filed after June 20, the offeror must show that the land is in a unit plan if he wishes his offer to be considered under the first exception.

[illegible] place the approval of partial assignments of [illegible] association with them. With the exception noted, multiple small partial assignments out of a single lease are not to be considered for approval within at least 3 months of the date of their receipt.

[illegible] of a single lease or a group of leases, attention is called to the attached copy of office decision dated June 13, 1947, [illegible]rick G. Delker.

[illegible]

William Pearl

Assistant Director

Enclosure.

Distribution:
Each Regional Administrator - 10
Chief, Division of Administrat - 3
Each Land Office - 5

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

June 13, 1947

DECISION

| | |
|---|---|
| | 962 "L" |
| Frederick G. Delker | Oil and Gas Leases |
| | Sacramento 033204 |
| | " 037073-4-5-6-7 |

## Order to Show Cause Why Leases Should not be Canceled

Pursuant to his application, six non-competitive oil and gas leases, bearing serial numbers above noted, were issued to Frederick G. Delker of Philadelphia, under Section 17 of the Act of February 25, 1920 (41 Stat. 443, 30 U.S.C. Sec. 226). The leases, issued as of January 1, 1946, contain 2,325.42 acres in various sections of Ts. 11 and 12 N., R. 26 W., T. 11 N., R. 25 W., S.B.M., and T. 28 S., R. 22 E., M.D.M., California. Each of the leases states that the lands involved are "not within the known geologic structure of any producing oil or gas field." For the reasons noted below, and in accordance with Section 7 of the lease terms and 43 CFR 192.161, the lessee is hereby ordered to show cause why his leases should not be canceled as of the thirtieth day following service of a copy of this decision.

Available information reveals that the lessee inaugurated even prior to the issuance of the above described leases, and is presently engaged in a campaign to sell parts of these leases, each fraction being less than the smallest legal subdivision which can be assigned to unsuspecting "investors" at arbitrarily high prices. The record further discloses that the success of his campaign may be attributed to over-generous exaggerations, misleading representations and unfounded promises as to the oil values of the lands. It also appears that the lessee has been operating out of his Philadelphia office and has made extensive use of the mails in attracting prospective "investors".

Typical of Delker's pattern of operations is the treatment accorded by him to at least one California complainant, in connection with whose charges a field examination report has been obtained. The complainant has alleged that in August 1945, Delker induced him, by means of letters and circulars sent through the mails, to purchase a 10 acre "sub-lease" in T. 11 N., R. 26 W., at $8 per acre. The lease for these lands, it must be noted, was first offered to Delker by Bureau decision of December 13, 1945, and first issued to him as of January 1, 1946. It should also be noted that the only fees, paid by Delker to the Government for the lease, consisted of a filing fee of $5 for each 160 acres, and a rental of 50¢ per acre for the first year [illegible]

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

July 3, 1952

Order No. 478

Subject: Establishment of Divisions of Minerals and Lands in Regions II, III, IV and V

Pursuant to changes in Bureau organization, approved by the Secretary of the Interior and in order to extend Bureau of Land Management Order No. 451, dated November 12, 1951, the following actions are effective in Regions II, III, IV and V on July 1, 1952.

1. The Division of Adjudication and the Division of Land Planning are abolished.

2. The following organizational segments are established:

   (a) A Division of Minerals whose function is to initiate, administer and develop a regional program governing the use and disposal of Federally-owned or controlled minerals in the region.

   (b) A Division of Lands whose function is to develop a land policy in the region, including land classification, management and disposal of lands, and the coordination of the land phases of the Bureau's program.

Appropriate amendments to the delegation orders will be made to reflect these changes in organization.

Marion Clawson

Director

Distribution:

Regional Administrator
Regions II, III, IV, V - 5 copies each

Chief, Branch of Personnel

Tims
Holland
Barr
Carroll

July 22, 1952

Order No. 479

Subject: Organization Identification Symbol.

"ARC" to be used as identification symbol for Copy Records Section, Branch of Records Management, Division of Administration.

"ARL" identification symbol to be retained by Land Records Section of the above Branch and Division.

Signed by Acting Director William Zimmerman, Jr

Ditto of order to Van Dyke for Reproduction and distribution 7/23/52

1952 JUL 31 PM 1 52

RECEIVED
LAND & SURVEY OFFICE
DENVER, COLORADO

15

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

[illegible]

ORDER NO. [illegible]

SUBJECT: Organization Identification Symbol.

1. Order No. 467 dated April 8 added a new section to the Branch of Records Management, Division of Administration, by taking the copy work from the Land Records Section of the above branch.

2. The identification symbol "ARL" has been used for both sections.

3. The purpose of this order is to designate the identification symbol "[illegible]" to the Copy [illegible] Section, Branch of Records Management.

4. The identification symbol "ARL" will be retained by the Land Records Section, Branch of Records Management.

Acting Director.

Distribution:
1-1 Mailing List
Washington - Desk to desk.

[illegible]

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

revoked By Order 5958
8/10/55

Order No. 481 August 20, 1952

Subject: Travel by Privately Owned Automobile

In authorizing the use of privately owned automobile, the following, as well as other applicable rules, will be observed:

A. Mileage Base

It has been administratively determined to be to the advantage of the Government to pay a flat rate of 5 cents per mile. A higher rate, not to exceed 7 cents per mile, may be authorised, but in such cases it must be shown that such higher rate is not in excess of the cost by common carrier.

B. Transfer of Duty Station

In all transfers there shall be authorized, a rate of 7 cents per mile not to exceed the cost by common carrier, for the employee and his immediate family including the authorized per diem. In such cases the total cost to the government shall not exceed the sum of the cost by common carrier plus per diem for the time required by common carrier.

C. Travel between Washington, D. C. and the field

1. Per diem in lieu of subsistence and the number of work days allowed for travel between the Washington office and the first point of duty in Regions 1, 2, 3, 4, 5, and between the last point of duty in the above Regions and the Washington office will be limited to the period required by normal railroad travel. Any time in excess of this must be charged to annual leave.

2. Actual travel time and regular per diem will be allowed while traveling to duty stations between the first and last duty points in these regions.

3. These provisions in paragraph C-1 above also will apply to travel to Washington originating in the above-mentioned Regions.

These procedures are effective immediately.

Marion Clawson
Director

Distribution:
1 to each holder of general travel orders (75)
25 to each region except Region VI
10 to Region VI
2 to Mr. Miller
30 to Accounts

Miller
Hoffman
Clement
Barr

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

September 12, 1952

Order No. 482

Subject: Notation of serial number and patent number on mineral survey plats.

Upon receipt of an application for a mineral patent the Manager will also note the serial number assigned thereto on the mineral survey plat of the entry involved. In instances where the Land and Survey Offices have not been combined the Manager will forward a copy of the serial register to the Regional Chief, Division of Cadastral Engineering, who will cause the serial number to be noted on the mineral survey plat.

When the entry is patented the Manager will also note the patent number and date on the mineral survey plat. In those instances where the Land and Survey Offices have not been combined the Manager will advise the Regional Chief, Division of Cadastral Engineering, as to the patent number and date in order that the patent number and date may be noted on the mineral survey plat.

Assistant Director

Distribution:

Each RA, 2 copies
Each Land and Land and Survey Office, 2 copies
Each Regional Chief, Division of Cadastral Engineering, 2 copies

Sengel
Hancock
Hoffman
Clement
Barr.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

September 30, 1952

ORDER NO. 483

Subject: Mineral patents: responsibility for the accuracy of field notes and plats.

1. Except for those cases before it for patenting as of the date of this order, the Patents Section of the Division of Lands is relieved of all responsibility and authority for the review and accuracy, of the field notes and plats prepared in contemplation of the issuance of a mineral patent.

2. Except for those cases in the Patent Section and except for those cases for which field notes and plats have not as yet been prepared as of the date of this order, the Minerals Division is assigned the responsibility and authority for the review and accuracy, of the field notes and plats prepared in contemplation of the issuance of a mineral patent.

3. With respect to all cases for which field notes and plats will be prepared after the date of this order, the Regional officer approving the field notes and plats is assigned the responsibility and authority for the final review and accuracy, of such field notes and plats prepared in contemplation of the issuance of mineral patents.

William Pincus
Assistant Director

Distribution:

| | |
|---|---|
| Each RA | 15 |
| Minerals Div. | 15 |
| Lands Div. | 15 |
| Engineering Div. | 15 |

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

October 15, 1952

Order No. 484

Subject: Repetitive Photographs

Copies of a pamphlet entitled "An improved method of making photographic record of range conditions" have been distributed to all Regions. Hereafter repetitive photographs of a technical nature taken by employees of the Bureau shall be made in accordance with the procedures set out in this pamphlet.

While this new method of taking photographs was devised specifically for recording changes in the vegetal cover of the range, it is equally valuable for showing changes in other land features and characteristics.

This order does not apply to photographs taken for informational purposes although some repetitive technical photographs may have informational values. Additional copies of the pamphlet may be obtained from the Office of the Director.

Marion Clawson

Director

Distribution:

L/1 Mailing list
Washington Division and
Branch Chiefs
AMP 5 copies

29383

[illegible]

[illegible] Establishment of Branches in the Division of Minerals.

Pursuant to changes in Bureau organization approved by [illegible]

The Official Organization Handbook will be amended to [illegible] this change. Section A5.05a will describe the functions [illegible] Branch of Mining.

Delegations of Authority will be amended to include these changes.

Marion Clawson

[illegible]

[illegible]
Washington - Desk to Desk

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

October 17, 1952

Revoked by 519

Order No. 486

Subject: Appeals

On appeals to the Director from the decisions of Managers of Land Offices, Land and Survey Offices, District Grazing Offices, District Forestry Offices and Area Offices, decisions will be prepared in the Regional Office and submitted to the Director for his consideration and signature. In submitting the case and prepared decision the relevant papers should be identified and properly labeled in the file to permit ready reference.

The instructions in Section 48.14 of the Manual regarding the right of appeal to the Secretary should be followed. Each decision should also carry the caption "Registered Mail."

Section 18.52 of the BLM Manual will be amended to reflect this change in procedure.

Marion Clawson

Director

Distribution:

Each RA - 10 copies
Washington Chiefs of Divisions - 5 copies

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D.C.

October 17, 1952

ORDER NO. 487

Subject: Rights-of-way Report Form 4-1166

1. Recently all regions were sent supplies of the above form. Suggested procedures for its use are contained in the Director's memorandum to Regional Administrators of March 6, 1951 and should be followed as far as is possible.

2. Effective immediately, the use of Form 4-1166 is required for all regular reports on right-of-way applications by area managers and/or field examiners and Regional Chiefs, Division of Lands.

Marion Clawson

Director

Distribution:

| | |
|---|---|
| RA's 1,2,3,4,5,& 7 | 25 |
| RA 6 | 5 |
| Chief, Lands Div. | 10 |
| Chief, Br. Management Planning | 5 |

Revoked

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

October 20, [illegible]

order 614
revokes
order 455

Order No. 455

Subject: Delegation of authority to transfer, donate, or dispose of excess or surplus real property

Sec. 1 Delegation to certain officers to dispose of excess real property. Pursuant to the authority contained in Sec. [illegible] of Order No. [illegible] of July 11, [illegible], of the Secretary of the Interior, the following classes of employees are authorized to transfer, donate or dispose of real property and related personal property excess to the needs of the Bureau of Land Management, as provided in that order and in accordance with the Federal Property and Administrative Services Act of 1949 (63 Stat 377; 40 U.S.C. 1946 ed., Supp. V, Secs. 471-475) as amended and the regulations issued thereunder published in 41 CFR [illegible] Supp., Part 101:

Regional Administrators

Acting Regional Administrators

Chief, Division of Administration

Regional Chiefs, Division of Administration

/s/ William Pincus

Acting Director

Distribution:

Each RA - 10 copies
Division of Administration - 5 copies
Branch of Management Planning - 10 copies

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

AMP

IN REPLY REFER TO:
Miller
Fisher
Lanigan
Pincus

October 24, 1952

Order No. 489

Revoked by 519

MANUAL OF THE
BUREAU OF LAND MANAGEMENT

PART 18--APPEALS

General Instructions

Section 18.52 of the Bureau of Land Management Manual is amended by adding thereto the following:

In instances where the appeal is forwarded to the Direcor, a decision for his consideration and signature will be prepared in the regional office. The decision will be written on regular letterhead with the words "Washington 25, D. C." typed directly under the heading. Each decision will carry the caption "Registered Mail" and sufficient copies thereof will be prepared for service on all interested parties. The decision will provide for the right of appeal to the Secretary of the Interior as outlined in Section 48.14 of this Manual. Prior to transmittal it must be surnamed by the appropriate Regional Division Chief.

Upon receipt in the Washington office the proposed decision will be reviewed in the proper division and, except for appeals involving only land status and classification, in the Office of the Chief Counsel. Where it is deemed necessary to rewrite the decision, both the field and Washington drafts of the proposed Director's decision will be presented to the Director, together with a memorandum to the regional office explaining why it was necessary to rewrite the decision.

Marion Clawson

Director

C-331

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

AMP

November 4, 1952

Order No. 490

Subject: Land Management Incentive Awards Committee

Revoked by 573

The membership of the Bureau Incentive Awards Committee is revised to include the members indicated below. Bureau Order No. 471 is revoked and Bureau Order No. 432 amended accordingly.

James A. Barr, Chairman

Edgar B. Carroll

Odell N. Child

Mary Lane

Eugene K. Peterson

Marion Clawson

Director

Distribution:

Washington desk-to-desk
AMP - 10 copies
L/1 Mailing List

30457 Interior - Duplicating Section, Washington, D.c.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D.C. Nov. 4 1952

[illegible] 501

[illegible]

1. [illegible]

2. [illegible] separately for public lands and acquired lands. He will also transmit at the same time, in duplicate, on Mineral Leasing Report No. 3 (sample [illegible]) [illegible] month by State and by age of lease. Expirations will not be reported on Report No. 3. Since the forms appear to be self-explanatory, no special instructions will be issued as to their use except upon request from the regional administrator.

3. Effective date. The first reports will be due early in December 1952 covering activities during the month of November

Director

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

Mineral Leasing Report No. 3

Region ________

Month of ________

## NUMBER OF OIL AND GAS LEASES CANCELED

| State* | Age of Lease as of Date of Cancellation** | | | | | | |
|---|---|---|---|---|---|---|---|
| | 1 year | 2 years | 3 years | 4 years | 5 years | More than 5 years | Total |
| | | | | | | | |

* List below the name of the State.
** Show below the number of leases canceled during the month in each age class.

Miller
AMP
Barn

Order No. 492 November 10, 1952

Subject: Procedures

Effective immediately proposed new or revised regulations requiring procedural changes must be accompanied by an appropriate manual change. Such manual changes shall be submitted to the Branch of Management Planning with the proposed regulations. The Branch of Management Planning will not approve such changes in regulations until the necessary procedural changes have been prepared.

/s/ William Pincus

LTMiller:lmw 10/24/52 Assistant **Director**

Distribution

Each Regional Adm. 10
Washington Branch and Division Chiefs 5

Mineral Leasing Report No. 1

Region ____________

Month of ___________

## RECEIPTS (EARNED MONEYS) FROM NON-PRODUCING MINERAL LEASES AND PERMITS

### A. PUBLIC LANDS

### 1. Rentals

| Type of Mineral** | State* | State* | State* | State* | State* | State* | Total |
|---|---|---|---|---|---|---|---|
| Oil & Gas | | | | | | | |
| Coal | | | | | | | |
| Sodium | | | | | | | |
| Potassium | | | | | | | |
| Phosphate | | | | | | | |
| Etc. | | | | | | | |
| Total | | | | | | | |

### 2. Filing Fees

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oil & Gas | | | | | | | |
| Coal | | | | | | | |
| Sodium | | | | | | | |
| Potassium | | | | | | | |
| Etc. Phosphate | | | | | | | |
| | | | | | | | |
| Total | | | | | | | |

### 3. Bonuses

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oil & Gas | | | | | | | |
| Coal | | | | | | | |
| Sodium | | | | | | | |
| Potassium | | | | | | | |
| Phosphate | | | | | | | |
| Etc. | | | | | | | |
| Total | | | | | | | |

* Insert here the name of the State.
** List below the type of mineral involved.

Mineral Leasing Report No. 2

Region ____________

Month of ____________

## RECEIPTS (EARNED MONEYS) FROM NON-PRODUCING MINERAL LEASES AND PERMITS

### B. ACQUIRED LANDS

### 1. Rentals

| Type of Mineral** | State* | State* | State* | State* | State* | State* | Total |
|---|---|---|---|---|---|---|---|
| Oil & Gas | | | | | | | |
| Coal | | | | | | | |
| Sodium | | | | | | | |
| Potassium | | | | | | | |
| Phosphate | | | | | | | |
| Etc. | | | | | | | |
| Total | | | | | | | |

### 2. Filing Fees

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oil & Gas | | | | | | | |
| Coal | | | | | | | |
| Sodium | | | | | | | |
| Potassium | | | | | | | |
| Etc. | | | | | | | |
| | | | | | | | |
| Total | | | | | | | |

### 3. Bonuses

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oil & Gas | | | | | | | |
| Coal | | | | | | | |
| Sodium | | | | | | | |
| Potassium | | | | | | | |
| Phosphate | | | | | | | |
| Etc. | | | | | | | |
| Total | | | | | | | |

* Insert here the name of the State.
** List below the type of mineral involved.

Miller
Derepilius
Holland
Hoffman

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington 25, D. C.

Order No. [illegible]

November 14, 1952

Subject: Oil and Gas Leases in Closed Land States

Effective immediately the following procedure will be adopted in connection with the distribution and notation of executed oil and gas leases in closed land states.

1. The copy of the lease usually forwarded to the Washington Office immediately upon execution, will be held in the leasing office until all the lands in the offer are included in the executed lease or are finally rejected. This will eliminate the present practice of a separate notice when a partial rejection has become final. If the lease covers all the lands requested the copy for the Washington Office should continue to be sent immediately upon execution.

2. Upon receipt of the executed lease in the Washington Office it will be posted on the tract books in ink and the pencil notation of the application completely lined out.

Assistant Director

Distribution:

Reg. Administrators Regions III and V 5 each
Manager Land Office Billings, Montana 5 "
Manager Land & Survey Office, Cheyenne, 5 "

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

November 28, 1952

ORDER NO. 494

Subject: Reports of Inspections

Reports of inspection surveys of area, district and regional offices will not contain personnel recommendations such as need for additional personnel, reclassification recommendations, or similar matters. Where employees making inspections believe it necessary that such matters receive attention they should be submitted in a confidential report to the proper Regional Administrator, a copy of which should be sent to the Director.

Marion Clawson

Director

Distribution:

Washington desk-to-desk
L/1 Mailing List
Br. Management Planning 10 copies

31880

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

November 28, 1952

ORDER NO. 495

Subject: The use of an Air Compressor and Jack Hammer to drill holes for placing steel fence posts in rock, or rocky ground where wood-jack posts with rock cribbing would otherwise be necessary

The use of an air compressor and jack hammer to drill holes in rock or rocky ground will facilitate the placing of steel fence posts in such locations. Wood-jack posts with rock cribbing, which would otherwise be necessary, are expensive installations of doubtful stability.

Henceforth steel fence posts in rock and rocky ground shall be placed in the manner described above. The use of wood-jack posts with rock cribbing is to be limited to inaccessible areas, and where rock or rocky ground forms such a small portion of the fence line that it would not be practicable to use an air compressor with jack hammer.

Marion Clawson

Director

Distribution:

| | |
|---|---|
| Div. of Range Management | 10 |
| Br. of Management Planning | 10 |
| Regional Administrators,<br>Regions I through V | 30 each |
| RA-VI | 1 |
| Russellville, Arkansas | 1 |
| RA-VII | 10 |

31879

Diagram NJ 18-11, revised June 22, 1977, (the approximate State line between North Carolina and Virginia). The New York OCS Office has responsibility for the Atlantic OCS from the east-west block line common to blocks 404 and 448 found on OCS Official Protraction Diagram NJ 18-11 (the approximate State line between Virginia and North Carolina) to the International boundary between the United States and Canada. The Pacific OCS Office has responsibility for the Pacific OCS from the International boundary between the United States and Mexico north to the International boundary between the United States and Canada, and for the Hawaii OCS. The Alaska OCS Office has responsibility for the Alaska OCS.

Arnold E. Petty

OCT 17 1978

Arnold E. Petty
Director

ACTING

Certified to be a true
copy of the original
Charlotte L. Miller
Certifying Officer

Published in Federal Register 10/20/78

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

September 28, 1953

ORDER NO. 496, Amendment No. 1

Subject: Design and Construction of Cattle Guards for Gravel or Dirt Roads

Order No. 496, dated November 28, 1952, is amended as follows:

The specifications and method of construction of bases for cattle guards attached to the original Order and those attached to this Amendment shall be considered standard for the Bureau. This provides for the use of pressure treated ties as a base instead of cement in those cases where it is considered preferable. All cattle guard bases constructed under Bureau supervision shall conform to the standard except that deviations may be made where required by local site and use conditions or to meet the standards of Federal, state, or county highway organizations.

The grates of cattle guards may be constructed of either rails, pipe, or commercially available grids. Regardless of the type of grate used, however, it must be securely fastened to the base and provide access for cleaning the pit.

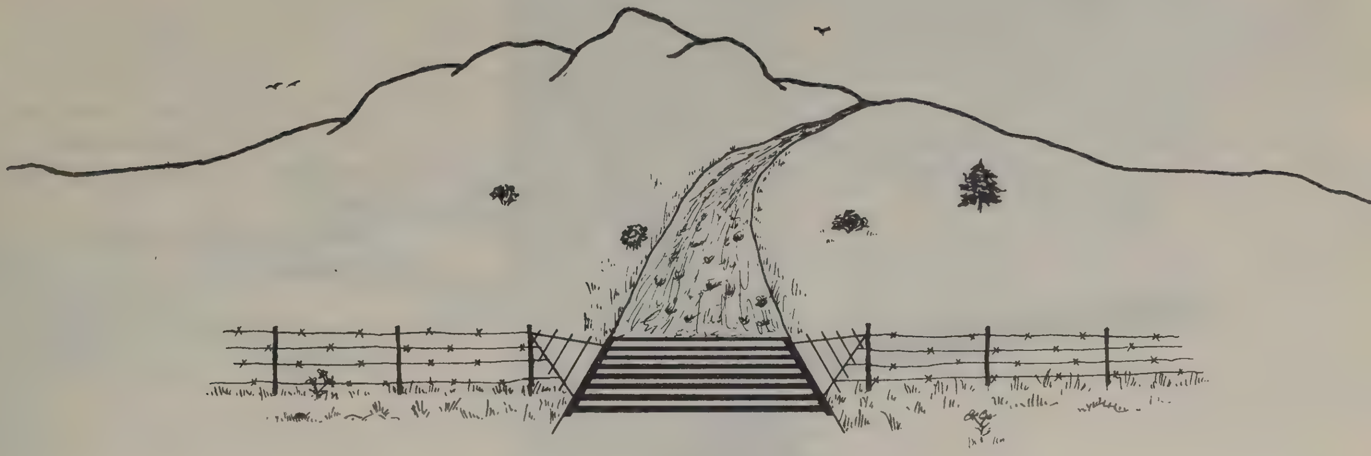
The Bureau Manual shall include the data in the attachments referred to above.

Edward Woozley
Director

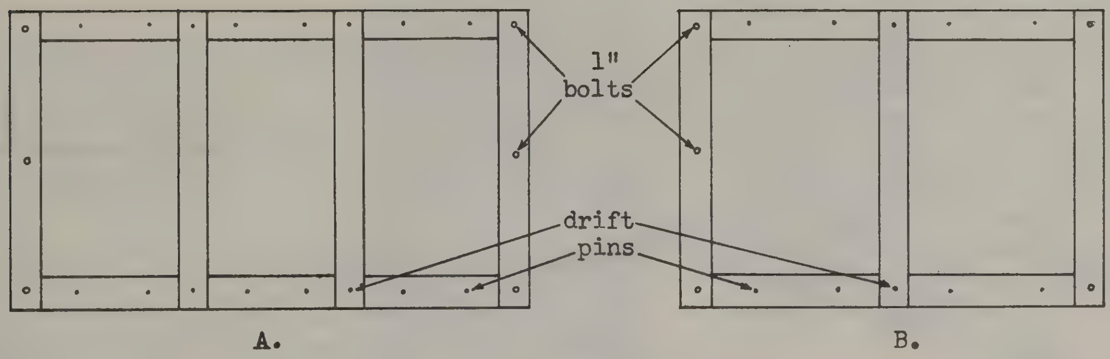
Attachments

Distribution:

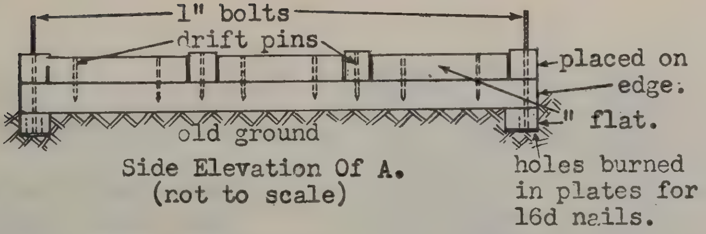
| | |
|---|---|
| Division of Range Management | 25 |
| Branch of Management Planning | 10 |
| Regional Administrators - Regions I through V | 40 each |
| Regional Administrator R-VI | 5 |
| Regional Administrator R-VII | 10 |



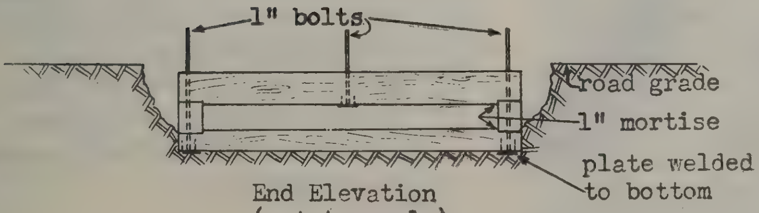
CREOSOTED TIMBER CATTLEGUARD BASE.


1" bolts
drift pins
A.
B.

Typical Cattleguard Base Plans
(not to scale)

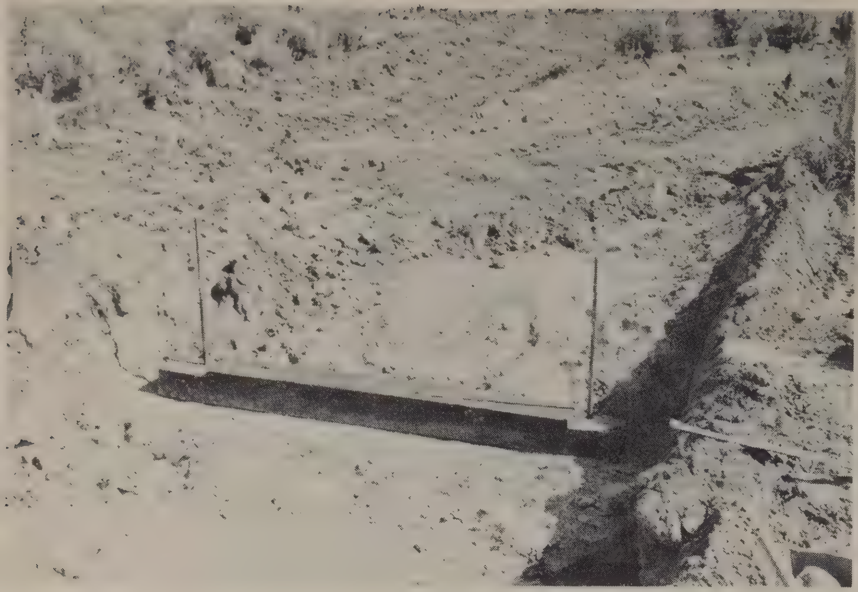

1" bolts
drift pins
placed on edge.
" flat.
old ground
holes burned in plates for 16d nails.

Side Elevation Of A.
(not to scale)


1" bolts
road grade
1" mortise
plate welded to bottom

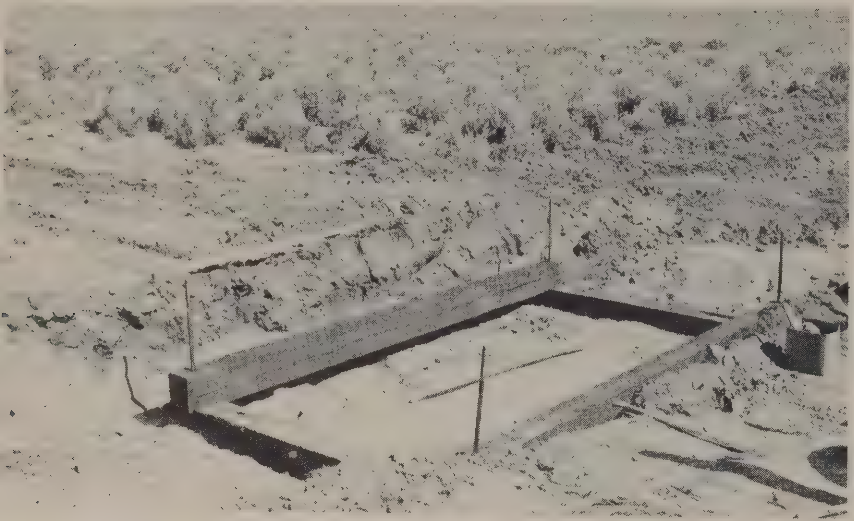
End Elevation
(not to scale)
A or B

Use pressure treated railroad cross and switch ties. All mortises and holes should be ripped out and drilled prior to transportation to site. All pieces should be identified by number or other symbol for ease of assembly at site.



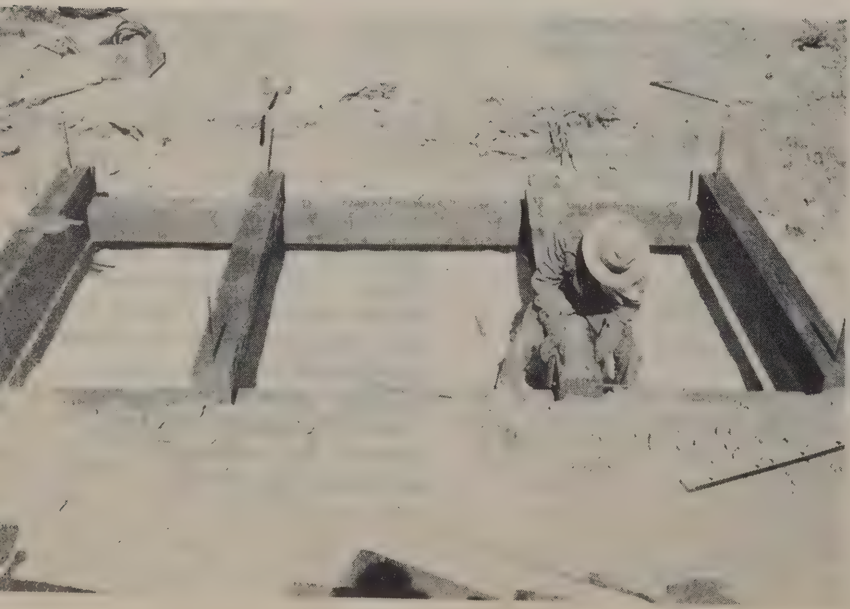
Step 1

Pit is dug and leveled.
1" rod is placed and nailed to bottom of mud sill.
Mud sills are set in place.



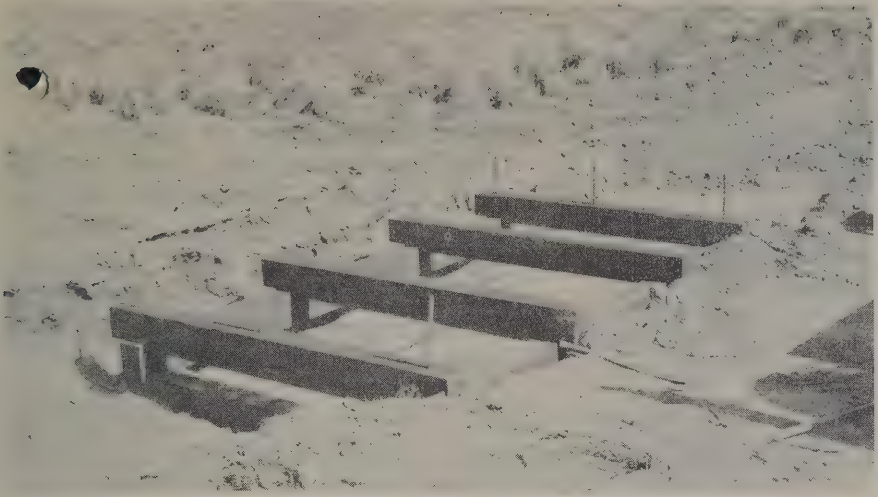
Step 2

Longitudinal stringers are threaded over bolts and set down into place.



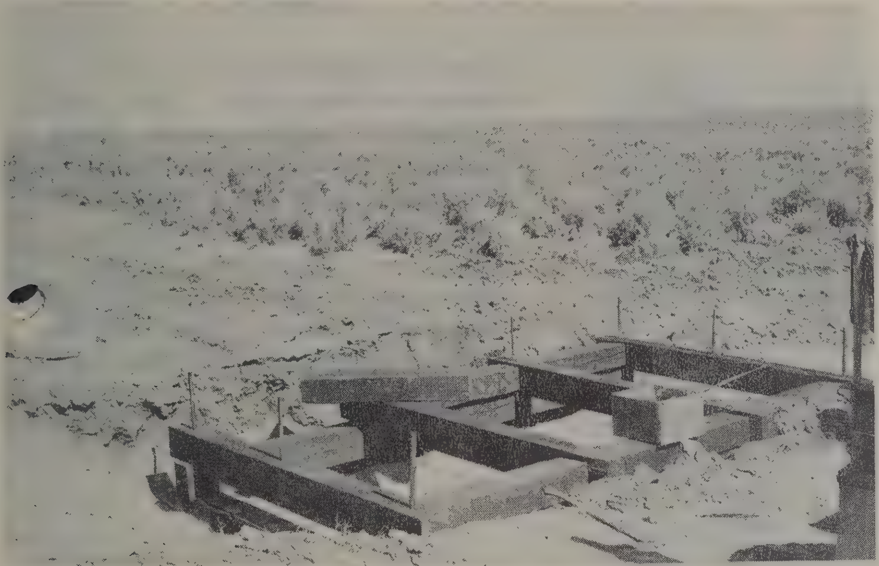
Step 3

The cross ties which bear the steel grate are set into place. Note the two drift pins sticking up in the ends of the one in position. These drift pins are 5/8" which are drove in bored 1/2" holes, making a secure fit.



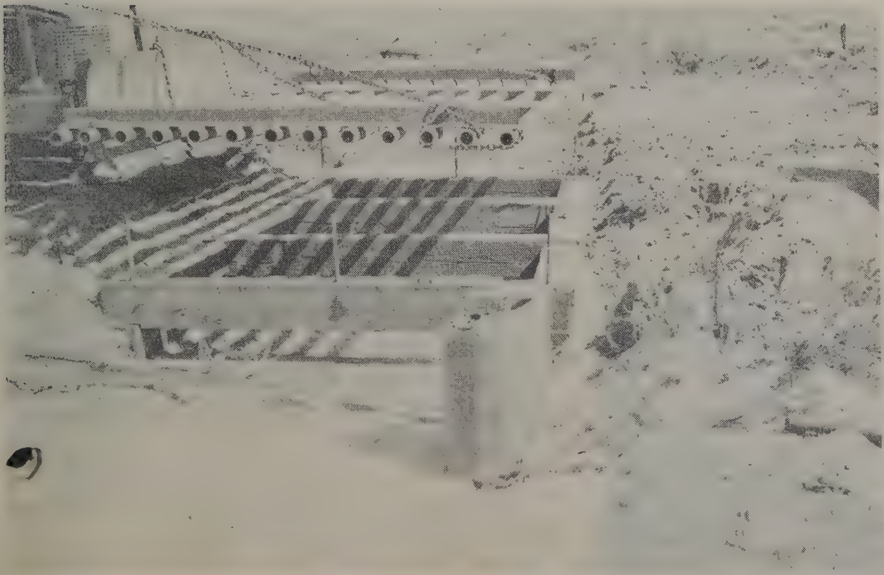
## Step 4

This picture shows the cross ties in position and drift pined. The spacing of these is determined by the gauge of the truck wheels.



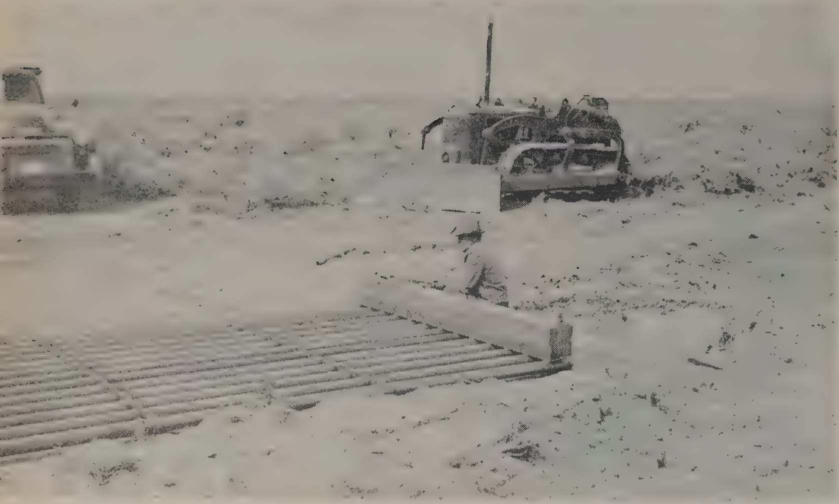
## Step 5

Shows the short filler timbers being placed in between the bearing cross beams. These filler timbers are laid flat so as not to interfere with the steel grate but are high enough to stop any dirt slough into the pit as well as to help hold the entire assembly rigid. Note the painted 6C on the loose one on top. This designates its place in the forming.



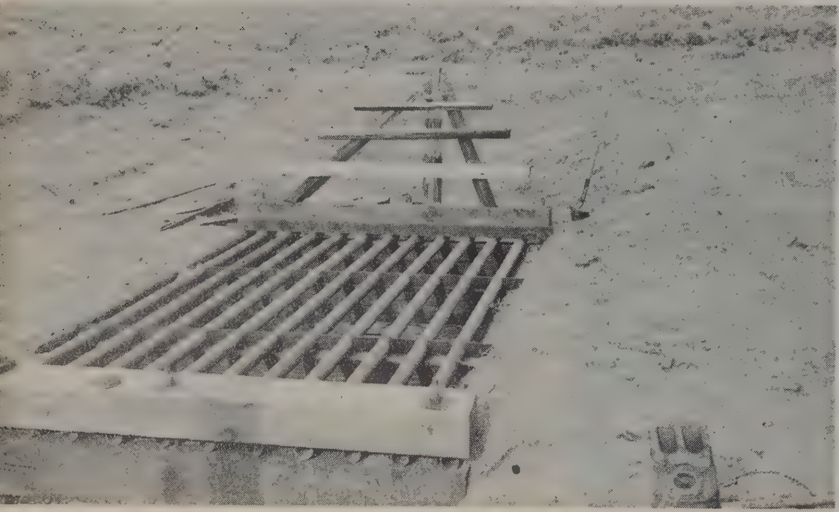
## Step 6

This shows the setting of the heavy grate in place with the hydrolic lift of the dozer on the TD9. Care is exercised to get elevation to clear the high 1" bolts.



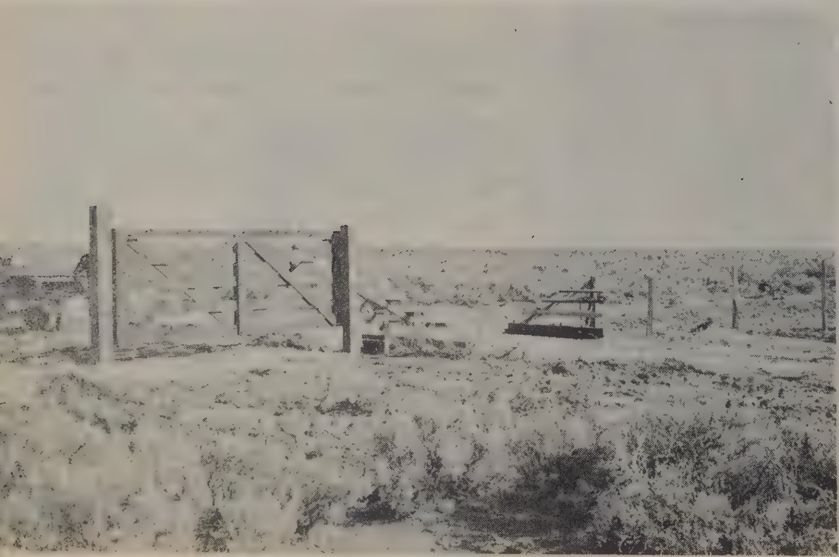
## Step 7

Grate is in place and the wheel guard beam is threaded over the bolts and drawn down tight. Double nuts are used to insure tight assembly. Large timbers in this position adds elasticity which tend to hold grate secure and reduce looseness and rattle.



## Step 8

Shows construction of "A" frame on one side. This one is made of split cedar fence posts. Note that back fill is completed, this should be done with care to secure maximum compaction. Also note the large drain ditch in the background. This was dug with angle blade of the dozer.



## Step 9

Angle view of completed construction showing large gate (which is optional as many districts do not use this type) and the drain ditch in the background. A good drain is important as it drains off the moisture which would otherwise cause the earth foundation to soften and cause instability.

INT.-DUP. SEC., WASH., D.C.49328

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington 25, D. C.

November 28, 1952

ORDER NO. 496

Subject: Design and Construction of Cattle Guards for Gravel or Dirt Roads

Effective immediately, and wherever applicable, the design and construction of cattle guards for gravel or dirt roads shall conform to the attached instructions. These instructions will be made part of the Bureau Manual when that portion of the Manual which concerns fence construction is revised.

Marion Clawson

Director

Attachment

Distribution:

| | | |
|---|---|---|
| Div. of Range Management | 10 | |
| Br. Management Planning | 10 | |
| Regional Administrators<br>Regions I through V | 30 | each |
| RA-VI | 1 | |
| Russellville, Arkansas | 1 | |
| RA-VII | 10 | |

[illegible]
[illegible]
Bureau of Land Management
Washington 25, D. C.

## DESIGN AND CONSTRUCTION OF CATTLE GUARDS FOR SECONDARY ROADS

### Method of Construction

Step No. 1

Excavate trench for forming cattle guard walls 30" deep, the [illegible] this cattle guard are 12' 1" in length and 7' 2" in width.

Step No. 2

Cut cross trenches to a depth twice the thickness of rails used. This will hold stringers in place while pouring cement as shown in photograph #1.

Step No. 3

Place four 9' rails across cattle guard in trenches making sure ends protrude well into walls as shown in photograph #2

Step No. 4

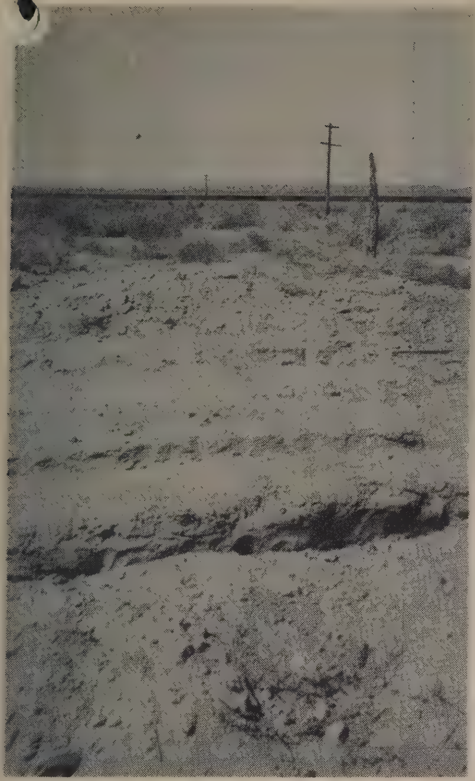
Use two 12' rails placed on side along edge of trench, this will complete top part of form needed while pouring cement in wall and will give exact height to concrete when rails are in place as shown in photograph #3. It will be necessary to use two pieces of lumber to make top part of end forms. Place a post directly in the center and at each end of cattle guard as cement is being poured so they will be embedded in concrete. This will eliminate the necessity of building slope bracing.

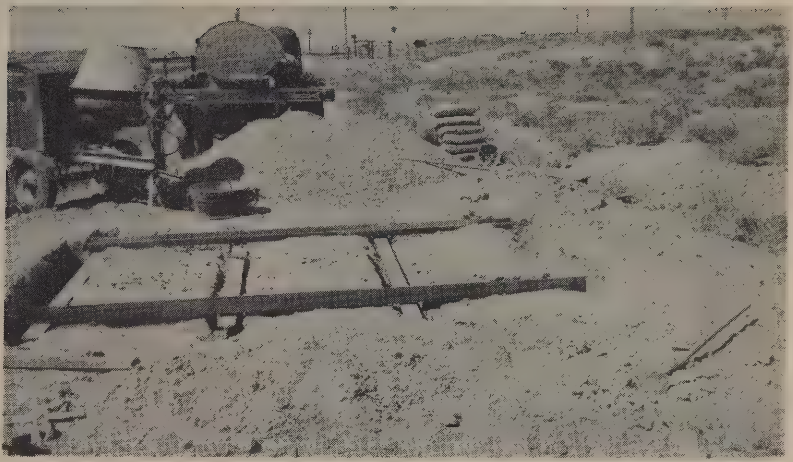
Step No. 5

Pour the concrete. After the concrete has set, excavate the earth from center of cattle guard as shown in photograph #4.

Step No. 6

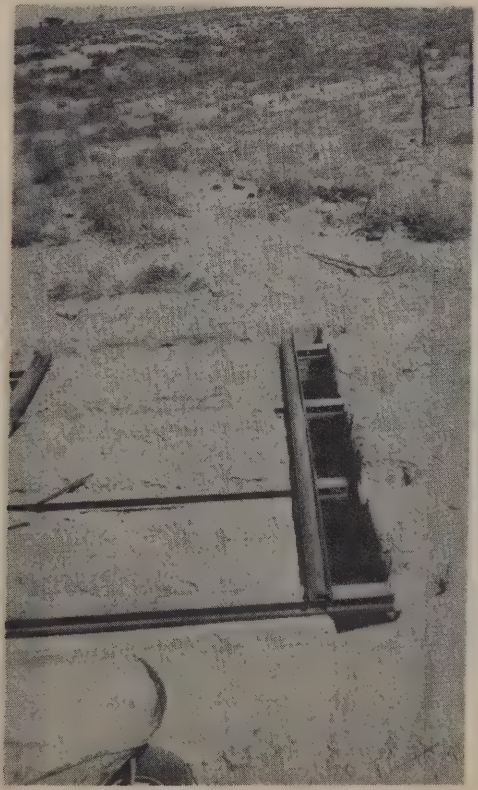
Place rails, using 3" spacing on the bottom flange. Electric weld all rails except two in the center. These two rails are bolted by cutting through rail flanges. This will permit removing in case [illegible]



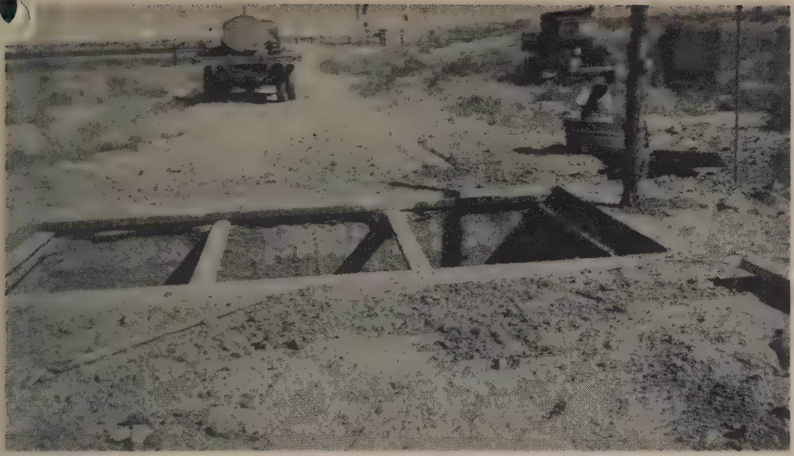


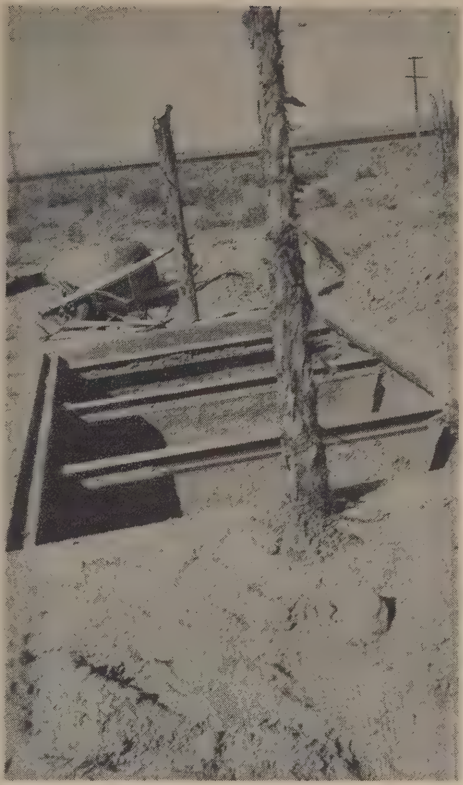
#2 Stringers in place

#1 Method of excavation and cross trenches for holding stringers.

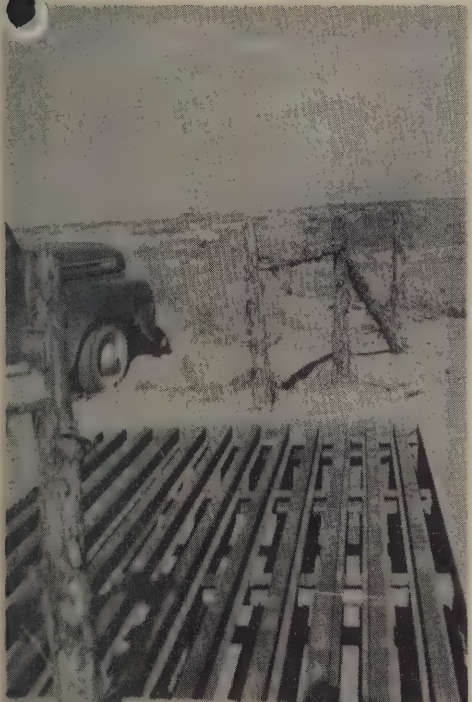


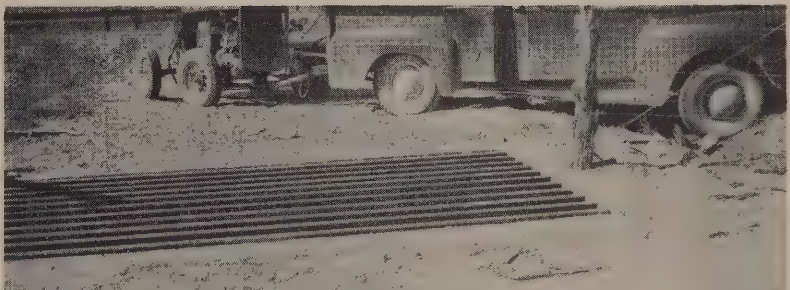
#3 Method of using rails to complete top part of form.



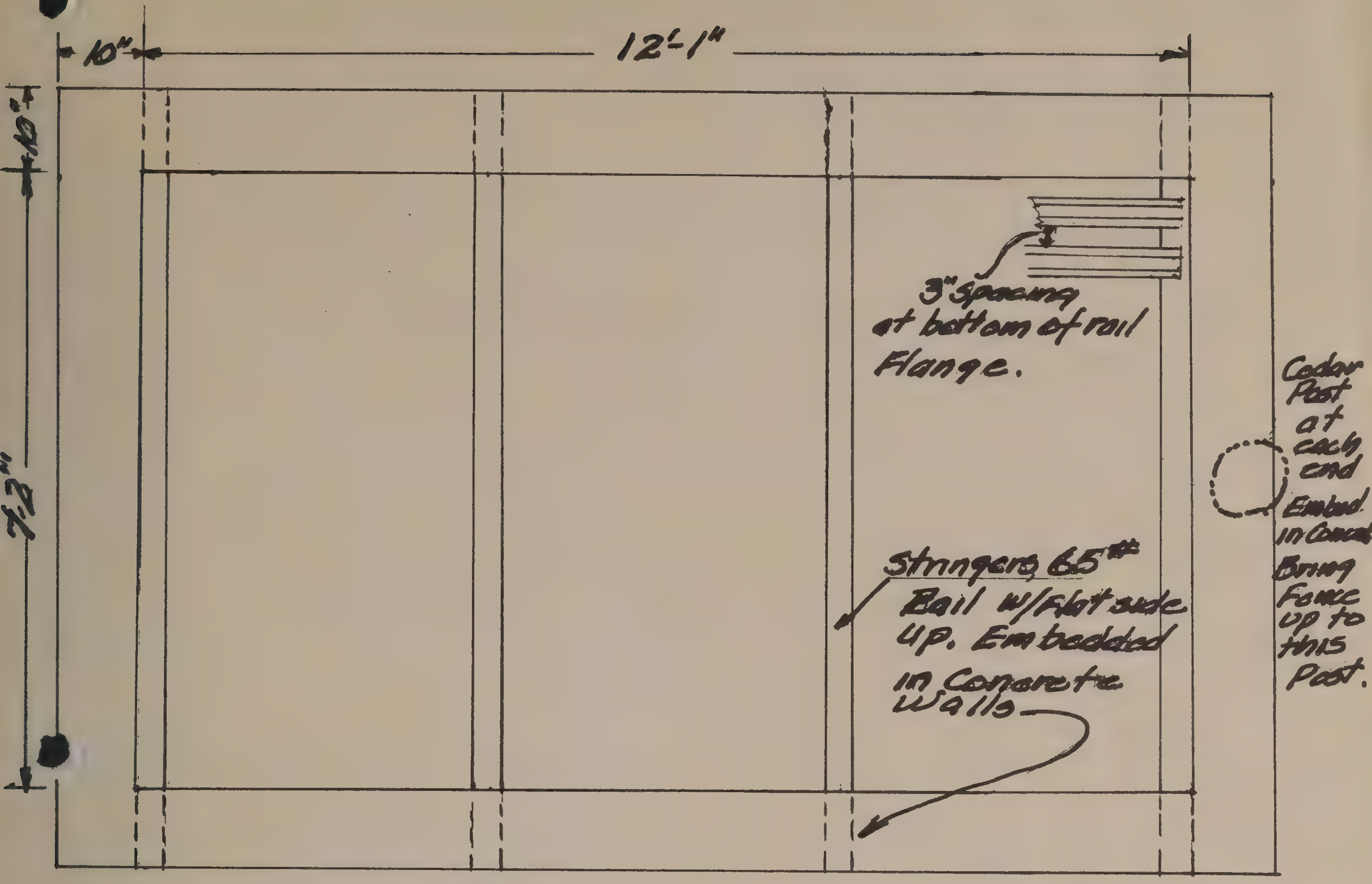


#4 & #5 Shows how earth was excavated after cement had been poured.





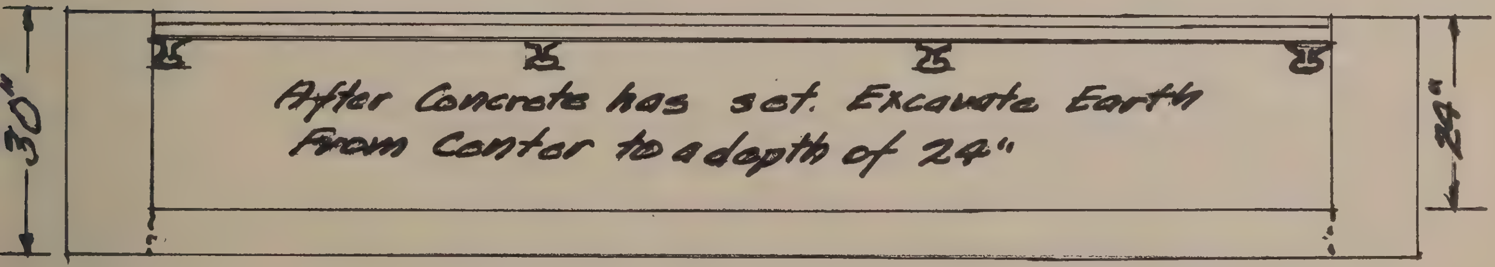
#6 & #7 Shows completed cattle guard



3" spacing at bottom of rail Flange.

Cedar Post at each end Embed in Concret Bring Fence up to this Post.

Stringers 65# Rail w/Flat side up. Embedded in Concrete Walls



After Concrete has set. Excavate Earth From Center to a depth of 24"

Miller
Barr
Doplius
Holland

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington, D.C.

December 29, 1952

Order No: 497

Subject: Notation of Cancellation of Mineral Leases on lands in closed land States.

In noting cancellations of Mineral leases on public lands in closed land states, the date and hour of the notation should also be shown on the tract books of the Washington Office. This same information will be noted on the copy of the decision cancelling the lease, after which the copy will be returned to the originating office for compliance with Sec. 114.102(b) of the Manual and for filing.

Marion Clawson

Director

Distribution:

| | |
|---|---|
| Regional Administrators Regions III, V, VI | 5 each |
| Manager Land Office, Billings | 5 " |
| Manager Land and Survey Office, Cheyenne | 5 " |
| Branch of Records Management | 15 " |
| Mineral division | 5 |

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington

See amendment No 1

[illegible]

Order No. 498

Subject: Delegation of Authority - Contracts and Leases

* order 615 revokes 498 and amend no 1 there to

Sec. 1 Authority of certain offices to enter [illegible] tracts and leases. (a) Pursuant to the authority contained [illegible] Secs. 50 and 52 of Order No. 2509, Amendment No. 16, July [illegible] of the Secretary of the Interior, the following classes [illegible] are authorized to enter into contracts for construction, [illegible] sections:

Regional Administrators
Acting Regional Administrators
Chief, Division of Administration
Regional Chiefs, Division of Administration
Chief, Branch of Administrative Services, Div. [illegible]
Acting Chief, Branch of Adm. Services, Div. of [illegible]

* order 615 amend no 1 revokes order 498 and amend no 1 thereto effective July 15, 1954

The following classes of employees are authorized, [illegible] to approval of the Regional Administrator , to enter into [illegible] tracts when the amount in any one contract does not exceed [illegible]

Regional Procurement and Supply Officers
Regional Foresters
District Foresters
Managers, Land Offices
Managers, Land and Survey Offices
Range Managers

These classes of employees are also authorized to enter into leases for space, subject to the limitations provided in Sec. 52, supra.

(b) Contracts and leases entered into under this authority must conform with applicable regulations and statutory requirements and are subject to the availability of appropriations.

Sec. 2 Revocation. Order Nos. 308 of June 18, 1948 [illegible] of June 21, 1948, and 464 of March 14, 1952, are revoked.

/s/ Marion Clawson
Director

Distribution

| | |
|---|---|
| Regional Administrators I to V, VII | 25 |
| Regional Administrator VI | 5 |
| Division of Administration | 5 |
| Branch of Management Planning | 20 |

Miller
Fisher
Van [illegible] /14
Falck

See amendment No I

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON

See amend. no 1

orders 308 313 and 464 revoked

Jan 23, 1953

ORDER NO. 498

615 [illegible]

Subject: Delegation of Authority - Contracts and Leases

Sec. 1 Authority of certain offices to enter into contracts and leases. (a) Pursuant to the authority contained in Secs. 50 and 52 of Order No. 2509, Amendment No. 16, July 18, 1952, of the Secretary of the Interior, the following classes of employees are authorized to enter into contracts for construction, supplies (including the rental of equipment) or services, irrespective of amounts, and leases of space in real estate as provided in those sections:

Regional Administrators
Acting Regional Administrators
Chief, Division of Administration
Regional Chiefs, Division of Administration
Chief, Branch of Administrative Services, Div. of Administration
Acting Chief, Branch of Adm. Services, Div. of Administration

The following classes of employees are authorized, subject to approval of the Regional Administrator, to enter into such contracts when the amount in any one contract does not exceed $2,000.

Regional Procurement and Supply Officers
Regional Foresters
District Foresters
Managers, Land Offices
Managers, Land and Survey Offices
Range Managers

These classes of employees are also authorized to enter into leases for space, subject to the limitations provided in Sec. 52, supra.

(b) Contracts and leases entered into under this authority must conform with applicable regulations and statutory requirements and are subject to the availability of appropriations.

Sec. 2 Revocation. Order Nos. 308 of June 28, 1948, 313 of June 21, 1948, and 464 of March 14, 1952, are revoked.

s/ Marion Clawson

Director

X

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington, D. C.

January 29, 1953

Order No: 499

Subject: Delegation of Authority - Overtime

Pursuant to Section 30(c) of Order No. 2512 amendment No. 11 of April 21, 1952 of the Secretary of the Interior, and subject to the availability of appropriations the following classes of employees are authorized to prescribe for personnel under their supervision, hours of work in excess of the prescribed workweek to meet situations of a temporary character, if it is determined (1) that the overtime is necessary to meet deadlines in work schedules or other conditions beyond the control of the agency and (2) that the work can be accomplished more efficiently and economically by the authorization of overtime than by the hire of additional temporary personnel:

Regional Administrators
Chief, Division of Administration
Regional Chiefs, Division of Administration

These classes of employees in prescribing such overtime work may permit the taking of compensatory leave in lieu of overtime compensation to those employees within the purview of section 202 of the Federal Employee Pay Act of 1945, as amended (5 U.S.C. 1946 ed., sec. 912).

Marion Clawson

Director

Distribution

| | |
|---|---|
| Each Regional Administrator | 10 |
| Division of Administration | 5 |
| Branch of Management Planning | 20 |

Revoked by 605

March 3, 1849

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:
Barn
Holland
Hoffmann

AMP

FEB 2 - 1953

ORDER NO. 500

Subject: Notation of Record Title Assignments of Oil and Gas Leases

The practice of noting record title assignments on the tract books in the Washington office and the land and land and survey offices is hereby discontinued where all the lands involved in a lease are assigned.

Where partial assignments are made the notations shall be limited to the serial number given the partial assignment. Copies of decisions approving assignments involving public lands in closed land states will continue to be sent to the Washington office.

William Pincus
Assistant Director